

CITY COUNCIL PROCEEDINGS

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MINUTES OF THE MEETING OF THE CITY COUNCIL

Wichita, Kansas, May 2, 2000
Tuesday, 9:04 A.M.

The City Council met in regular session with Mayor Knight in the Chair. Council Members Cole, Lambke, Martz, Pisciotte, Rogers; present. *Council Member Gale absent.

Chris Cherches, City Manager; Gary Rebenstorf, Director of Law; Pat Burnett, City Clerk; present.

The invocation was given by Rev. Rick Cline, Central Christian Church.

The pledge of allegiance to the flag was participated in by the Council Members, staff, and guests.

Minutes -- approved The minutes of the regular meeting of April 18, 2000, were approved 6 to 0. (Gale absent)

AWARDS AND PRESENTATIONS

*Council Member Gale present.

YOUTH SERVICE Wichita's Promise – Youth Community Service Awards were presented.

SISTER CITY Firefighters from Wichita's Sister City Tlalnepantla were presented.

SERVICE CITATIONS Distinguished Service Citations were presented.

PROCLAMATIONS Proclamations previously approved were presented.

UNFINISHED BUSINESS

Z-3359 Z-3359 – ZONE CHANGE FROM “SF-6” SINGLE-FAMILY RESIDENTIAL TO “LC” LIMITED COMMERCIAL, LOCATED ON THE SOUTHEAST CORNER OF MAPLE AND RIDGE – 7125 WEST MAPLE. (District V)

Marvin Krout Director of Planning reviewed the Item.

Agenda Report No. 00-0359A.

MAPC Recommendation: Approve, subject to replatting under the conditions of the voluntarily-offered restrictive covenant and the conditions of a Protective Overlay (9-0).

Staff Recommendation: Approve, subject to replatting under the conditions of the voluntarily-offered restrictive covenant and the conditions of a Protective Overlay.

On April 11, 2000, the City Council deferred action on this case to allow the case to be heard by the District Advisory Board on May 1, 2000.

The applicant requests a zone change from “SF-6” Single Family Residential to “LC” Limited Commercial on a 0.46 acre platted tract located at the southeast corner of Maple and Ridge (7125 W. Maple). The site is currently developed with a non-conforming dry cleaning business (Lee's Cleaners). The applicant proposes to combine the subject property with the two lots immediately to the east, the lot immediately to south, and the lot immediately to the southeast to create an approximately 2 acre parcel for a Walgreen's and/or other retail development.

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The surrounding area is characterized by a mixture of residential uses, commercial uses, and undeveloped property zoned for commercial uses. Property south and southeast of the site is zoned "SF-6" Single Family Residential and is developed with single family residences; however, both of these properties are in the process of being rezoned to "LC" Limited Commercial and are proposed to be combined with the subject property through replatting. Property to the west is zoned "LC" Limited Commercial and is developed with a Lowe's home improvement center. To the north is a strip commercial center, convenience store, and restaurant on property zoned "LC" Limited Commercial. To the east is undeveloped property zoned "LC" Limited Commercial, which is proposed to be combined with the subject property through replatting.

To buffer proposed commercial development on the subject property from residences to the south and east, planning staff is recommending that a Protective Overlay be approved to continue the development controls established during the approval of zone changes on the adjacent properties. This Protective Overlay would limit signage, lighting, and building height and require a six foot high masonry wall where adjacent to residentially zoned property.

At the public hearing on March 16, 2000, the MAPC heard from three neighboring residents who protested the request, citing potential problems with traffic, trash, noise, crime, and declining property values. The neighboring residents also presented a written protest of the request representing 67 properties in the area. Since none of the protestors own property within 200 feet of the property proposed for rezoning, a 3/4 majority of the City Council is not required to approve the request.

The MAPC recommended approval (9-0) of the zone change subject to replatting under the conditions of the voluntarily-offered restrictive covenant and the following conditions of a Protective Overlay:

- A. No off-site or portable signs shall be permitted on the property. No building advertising signs shall be permitted along the face of any building facing a property in a residential district.
- B. Light poles shall be of the same color and design and shall have cut-off fixtures which direct light away from nearby residential areas. Light poles shall be limited to a maximum height of 14 feet.
- C. No buildings shall exceed one story in height with a maximum building height of 35 feet.
- D. A 6 foot high masonry wall shall be constructed along any property line where a residential zoning district abuts the property.

Motion --

Martz moved that the Council concur with the findings of the MAPC and approve the zone change, subject to the additional recommended provisions of a Protective Overlay District and subject to the condition of platting under the conditions of the voluntarily-offered restrictive covenant; the ordinance be forwarded for first reading when the plat is forwarded to the City Council. Motion carried 7 to 0.

-- carried

Z-3360

Z-3360 – ZONE CHANGE FROM “SF-6” SINGLE-FAMILY RESIDENTIAL TO “LC” LIMITED COMMERCIAL, GENERALLY LOCATED SOUTH OF MAPLE AND EAST OF RIDGE. (District V)

Marvin Krout

Director of Planning reviewed the Item.

Agenda Report No. 00-0360A.

MAPC Recommendation: Approve, subject to replatting under the conditions of the voluntarily-offered covenant and the additional conditions of a (P-O) Protective Overlay. (6-2).

Staff Recommendation: Approve, subject to replatting under the conditions of the voluntarily-offered covenant and the additional conditions of a (P-O) Protective Overlay.

On April 11, 2000, the City Council deferred action on this case to allow the case to be heard by the District Advisory Board on May 1, 2000.

The applicant requests a zone change from "SF-6" Single Family Residential to "LC" Limited Commercial on a 0.51 acre platted tract located at south of Maple and east of Ridge (321 S. Summitlawn). The site is currently developed with a single-family residence. The applicant proposes to combine the subject property with the two lots immediately to the north, the lot immediately to west, and the lot immediately to the northwest to create an approximately 2 acre parcel for a Walgreen's and/or other retail development.

The surrounding area is characterized by a mixture of residential uses, commercial uses, and undeveloped property zoned for commercial uses. Property south and east of the site is zoned "SF-6" Single Family Residential and is developed with single family residences. Property to the west is zoned "SF-6" Single Family Residential and is

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developed with a single-family residence; however, this property is in the process of being rezoned to "LC" Limited Commercial and is proposed to be combined with the subject property through replatting. To the north is undeveloped property zoned "LC" Limited Commercial that is proposed to be combined with the subject property through replatting. To the northwest is a non-conforming dry cleaners (Lee's Cleaners) on property zoned "SF-6" Single Family Residential. The non-conforming property is proposed for rezoning to "LC" Limited Commercial and is proposed to be combined with the subject property through replatting.

To buffer proposed commercial development on the subject property from residences to the south and east, planning staff is recommending that a Protective Overlay be approved to continue the development controls established during the approval of zone changes on the adjacent properties. This Protective Overlay would limit signage, lighting, noise, and building height; prohibit certain uses that are less compatible with residential development; and require a six foot high masonry wall where adjacent to residentially zoned property.

At the public hearing on March 16, 2000, the MAPC heard from three neighboring residents who protested the request, citing potential problems with traffic, trash, noise, crime, and declining property values. The neighboring residents also presented a written protest of the request representing 67 properties in the area.

The MAPC recommended approval (6-2) of the zone change subject to replatting under the conditions of the voluntarily-offered restrictive covenant and the following conditions of a Protective Overlay:

- A. No off-site or portable signs shall be permitted on the property. No building advertising signs shall be permitted along the face of any building facing a property in a residential district.
- B. Light poles shall be of the same color and design and shall have cut-off fixtures which direct light away from nearby residential areas. Light poles shall be limited to a maximum height of 14 feet.
- C. Outdoor speakers and sound amplification systems shall not be permitted within the south 100 feet of the property.
- D. No buildings shall exceed one story in height with a maximum building height of 25 feet.
- E. A 6 foot high masonry wall shall be constructed parallel to the east and south property lines and located 20 feet west and north of the east and south property lines, respectively. A 20 foot landscaped buffer shall be provided adjacent to the east and south property lines on the east and south side of the masonry wall.
- F. The following uses shall not be permitted: adult entertainment establishment; group residence; correctional placement residence; group home; recycling collection station; reverse vending machine; car wash; convenience store; night club; recreation and entertainment; restaurant with drive-in or drive-thru facilities; service station; tavern and drinking establishment; and vehicle repair.

Motion --

-- carried

Martz moved that the Council concur with the findings of the MAPC and approve the zone change, subject to the additional recommended provisions of a Protective Overlay District and subject to the condition of platting under the conditions of the voluntarily-offered restrictive covenant; the ordinance be forwarded for first reading when the plat is forwarded to the City Council. Motion carried 7 to 0.

NEW BUSINESS

NORTHWEST SEWER

NORTHWEST SEWAGE TREATMENT PROJECTS – SUPPLEMENTAL AGREEMENT FOR THE PROGRAM MANAGEMENT CONTRACT.

Dave Warren

Director of Water and Sewer reviewed the Item.

Agenda Report No. 00-0401.

Northwest Wichita has been experiencing significant growth and development in recent years. Due to the magnitude of the development, the sanitary sewer system in this area had limited capacity to handle additional growth. In March 1997, the City Council authorized Staff to retain professional engineering services to develop a master sewer plan for this area to address current and future sewer system needs. On January 19, 1999, the City Council approved a plan for a new sewage treatment plant and other improvements to serve northwest Wichita.

The City Council conducted a public hearing on March 11, 1999, regarding a number of potential sites for the new sewage treatment plant. A site was selected on March 30, and City Council directed Staff to start the process of retaining a consultant engineer to design and construct the improvements.

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On September 28, 1999, the City Council approved a contract with Brown & Caldwell and Professional Engineering Consultants (PEC) for \$2,816,220 to serve as project manager for projects associated with the Northwest Sewage Treatment Plant and to refine the selected NP 1 alternative. The refinements have been completed, and Staff is ready to proceed with the final design of facility and the associated public improvements.

Several factors have increased the cost of the project. The plant site has been approved for Conditional Use by the Metropolitan Area Planning Commission (MAPC). This is based on a conceptual design for the plant site that includes a constructed wetland, walking trails, park shelters, interpretive kiosks, and a decorative water feature for the plant outfall. Additional optional improvements include the development of a fish rearing center and low-water pedestrian crossings for the Cowskin Creek, which are associated with park improvements.

The costs of designing and constructing site and plant improvements were not included in the capital budget; therefore, the governing body must make a decision about which improvements to include.

Certain decisions made by the governing body with regard to site selection for the plant have significantly increased the project cost including:

? The cost for the plant site had originally been estimated at \$200,000. The site selected by City Council costs \$945,000. This was due to the fact that a significantly larger plot of land was purchased to serve as an adequate buffer zone and to include space for public improvements.

? The site selected made it necessary for the main pump station (for the plant) to be located and constructed separately from the plant. The cost of the main pump station, force main, and land for the main pump station will increase the project construction cost by \$4 million.

Finally, the NPDES (National Pollution Discharge Elimination Survey) permit issued by the State of Kansas for this facility will require tertiary nutrient removal treatment protocols, which are estimated to add another \$800,000 to the project cost.

The original budget for the new plant and associated improvements in Basins 1, 2, 3, and 4 was \$18.6 million. The new budget, with the amendments noted above, may be as high as \$25.6 million. Some of the expense may be mitigated as the land develops and new residents share the cost of some of the sewer line installation.

The Contract with Brown & Caldwell and PEC, approved on September 28, 1999, was for \$2,816,220. Design and construction management for the additional tasks will require an increase in the Contract of \$486,723.

The 2000 CIP budget includes funds to pay for the Supplemental Agreement; however, funds (\$800,000) budgeted for the year 2000 for S-514 have not yet been authorized by the City Council. Staff recommends authorizing the expenditure of the \$800,000 and modifying the CIP budget by transferring \$300,000 from S-514 to S-512 to cover the Supplemental Agreement. When exact costs of the various aspects of this project have been finalized, Staff will present a total financial plan for City Council review/action.

Mayor Knight

Mayor Knight inquired whether anyone wished to be heard and no one appeared.

Motion --
-- carried

Martz moved that the Supplemental Agreement and necessary signatures, budget expenditures and modification of the CIP be approved; the Resolution be adopted; and the Notice of Intent be published. Motion carried 7 to 0.

RESOLUTION NO. R-00-174

A Resolution of the City of Wichita, Kansas, declaring it necessary to construct, reconstruct, alter, repair, improve, extend and enlarge the water and sewer utility owned and operated by the City, and to issue revenue bonds in a total principal amount which shall not exceed \$800,000, exclusive of financing costs, for the purpose of paying certain costs thereof, and providing for the giving of notice of such intention in the manner required by law, presented. Martz moved that the Resolution be adopted. Motion carried 7 to 0. Ayes: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

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NAMING OF PARK.

NAMING OF DOWNTOWN PARK.

Chris Cherches

City Manager reviewed the Item.

Agenda Report No. 00-0402.

City Council Policy 13 delineates the requirements for naming public facilities "...in accordance with their intended use...".

In the early 1990's, the City acquired the old Woolworth's building in the 100 block of East Douglas. The building was later demolished and the site targeted for a new downtown park in conjunction with a comprehensive plan for revitalization of the core area.

Much of the significance of the park site can be traced to 1958, when a group of African-American students staged one of the nation's first "sit-ins" to protest segregated lunch counters (at the drugstore) then occupying the site. The protest ended peacefully in its fourth week. Within a short time other lunch counters in Wichita were also desegregated.

Architecture and design plans for the park took into account the site's historical significance. An interactive bronze lunch counter sculpture featuring an African-American man and child was donated by the Devore Family.

The park is intended to create a peaceful area within the downtown where citizens can relax and reflect. It is anticipated that many business people in the downtown district will utilize the park for lunch breaks and informal social gathering.

An Advisory Committee consisting of seven members—one nominated by the Mayor and one nominated by each Council Member—was established to review and suggest possible names for the park. Various names were suggested, including "Memory Square" and "Reflection Park" were forwarded for consideration by the Committee.

The Advisory Committee met Tuesday, April 11, 2000. The Committee discussed various park names but was unable to arrive at one consensus name recommendation for the park. A motion was made and passed to forward the following five names (listed alphabetically—not ranked) to the City Council for consideration:

Fountain Square
Freedom Square
Harambe (Swahili for freedom)
Soda Fountain Square
Unity Square

City Council Policy 13 grants the City Council final authority for selection of an appropriate name for the park. The name used must not be duplicated or be confused with the names of existing facilities, and the selection must be based on the function of the facility and the image the name would project.

After consideration of the history of the site and the names proposed, the City Council has considered the name of Reflection Square as the name for the Douglas Street pocket park.

Mayor Knight

Mayor Knight inquired whether anyone wished to be heard and no one appeared.

Motion -- carried

Knight moved that the new park be named Reflection Square. Motion carried 7 to 0.

PARK/RECREATION

RESTRUCTURING OF PARK AND RECREATION DEPARTMENT.

Doug Kupper

Director of Parks and Recreation reviewed the Item.

Agenda Report No. 00-0403.

Maintenance and recreation programming are pivotal, highly interrelated public services provided by the City and expected in neighborhoods throughout Wichita.

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Maintenance of City parks, playgrounds, greenways, rights-of-way, and athletic fields have historically been provided by the Maintenance Division of the Park and Recreation Department. The Landscape and Forestry Division has maintained high visibility landscape areas in the downtown area and provided tree planting/pruning, and tree removal services. Neighborhood recreational programming—focused at ten recreation centers, twelve swimming pools, Watson Park, and various other Park and Recreation Department facilities and athletic fields—has been developed and carried out by the Recreation Division.

The existing Park and Recreation Department organizational structure can be improved to promote the effective coordination and delivery of quality leisure services to neighborhoods, families, and citizens of Wichita. Under the proposed reorganization, maintenance staff can be held accountable for the timing and impact of their work product on recreational programming. At the same time, recreation staff will be able to coordinate the scheduling of recreational programming with routine, essential activities carried out by maintenance staff. Perhaps most importantly, residents and neighborhoods will have a point of contact that can be counted on to respond to their leisure needs.

Park and Recreation has more revenue-generating cost centers than any other taxpayer-supported department. The majority of these cost centers (over 91%) are tied to maintenance and recreation functions. As currently structured, the department does not have the desired level of management and research capabilities. Challenges associated with increasingly complex budget issues, outside funding sources, and cash-handling have necessitated the department being dependent on other City departments for the provision of basic financial and management services, weakening the department's ability to focus on its primary mission of delivering a quality package of leisure services to neighborhoods in Wichita.

The Park and Recreation Department currently has three (3) management-level supervisors assigned to supervise maintenance and recreation programming. These supervisors include a Superintendent of Landscape and Forestry (maintenance), a Superintendent of Parks (maintenance), and a Recreation Director (recreation). Each supervisor directs a division within the department.

Consolidation of the Landscape and Forestry, Maintenance, and Recreation Divisions into one Parks and Recreation Division offers the opportunity to creatively enhance and coordinate maintenance and recreation programming across all neighborhoods. The new Parks and Recreation Division would centralize City-wide forestry operations, landscape construction and maintenance, and basic maintenance support functions in the downtown area of the city. Other maintenance and recreation staff would be divided among two geographic zones—one in the north and one in the south—with staffing levels and other resources divided equally.

To promote enhanced service delivery, existing management-level supervisor positions would be restructured to provide leadership within the new Parks and Recreation Division, with a focus on neighborhood park maintenance and recreation functions. Under the restructuring, the Superintendent of Landscape and Forestry would be assigned to supervise centralized downtown operations, and the Superintendent of Parks and Recreation Director positions would be replaced with two (2) Parks and Recreation Superintendent positions, with one position assigned to the north and one assigned to the south area of the City. Each of these positions would have complete responsibility for leadership and supervision of coordinated maintenance and recreation programming in their respective areas. The restructuring would provide a "one-stop" point of contact for neighborhoods, promote accountability, and provide better quality leisure services programming.

In connection with restructuring and consolidation of maintenance and recreation functions, an Assistant to the Director position would replace an existing Administrative Assistant. This position would lead and coordinate financial management and reporting functions, budget, personnel, and research responsibilities.

Restructuring of Park and Recreation maintenance, recreation, and administrative operations to enhance service delivery can be achieved with no net increase to the operating budget.

Targeted management-level and exempt positions will be implemented immediately, with funding redirected from budgeted salaries for existing positions. The net cost impact of the restructuring is negligible. Budgeted allocations will be shifted but are not projected to increase. Budget revisions will be addressed in the 2000 Revised and 2001 Proposed budgets.

Mayor Knight

Mayor Knight inquired whether anyone wished to be heard and no one appeared.

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Consensus of the City Council was that this Item should have input from the Park Board.

Motion --
-- carried

Knight moved that this Item be referred to the Park Board and returned to the City Council with comments.
Motion carried 7 to 0.

LIBRARY

LIBRARY OUTREACH PROGRAM TO ENHANCE CHILDREN'S COLLECTIONS AND SERVICES.

Richard Rademacher

Director of Libraries reviewed the Item.

Agenda Report No. 00-0404.

In the 1997 Revised Budget, the City Council approved a \$100,000 supplemental appropriation to expand the Library's collection of children's books and literature. In 1998, the Council again approved a supplemental expenditure of \$100,000 to update and expand the Library collection of children's books and materials. Both of these amounts were approved in the budget; a like amount was set aside for the Library in the 2000 Adopted Budget, contingent upon the Library submitting a detailed action plan for expenditure of the appropriation. The Library has met the criterion and is now ready to move forward.

The Library has presented a detailed action plan for use of the \$100,000 allocation. The Library action plan funds a core collection, cassette and video literature, durable books for toddlers, art materials books to guide children in their efforts to draw, paint, create, sew and build, certain books to help children cope with difficulties, easy-to-read books for beginning readers, Spanish and Vietnamese books, and award-listed books. Previously, a Youth Outreach Librarian was added to support an outreach program that includes visiting locations outside the Library—such as schools, daycares, and family community events—to attract young readers.

The fund will be allocated as follows:

Core List: \$30,000
Literature Based Media (cassettes and videos): \$15,000
Reading Support for Early Readers: \$15,000
Art Materials Books: \$15,000
Books to Help Children Cope with Difficulties: \$10,000
Board Books for Young Children: \$4,000
Spanish/Vietnamese Language Outreach: \$3,000
Award List Selections: \$4,000
Outreach Programs and Services: \$4,000

The Library is planning to expand youth outreach initiatives in 2000. While continuing to serve the citizens of Wichita at the present library locations, youth services staff will be identifying and reaching out to underserved populations citywide with the help of its Youth Outreach Librarian. With allocation of the \$100,000, Library can help more children achieve their reading and educational goals.

A contingency allocation of \$100,000 is available in the 2000 Adopted Budget to fund the Library plan.

Budget adjustments in excess of \$10,000 require City Council approval.

Mayor Knight

Mayor Knight inquired whether anyone wished to be heard and no one appeared.

Motion -- carried

Rogers moved that the budget adjustments be approved. Motion carried 7 to 0.

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(The following Item was considered later in the meeting; action is shown in Agenda order.)

CONDEMNATIONS

REPAIR OR REMOVAL OF DANGEROUS AND UNSAFE STRUCTURES.

Kurt Schroeder

Superintendent of Central Inspection reviewed the Item.

Agenda Report No. 00-0405.

On March 21, 2000 a report was submitted with respect to the dangerous and unsafe conditions of the buildings located on four (4) properties. The Council adopted a resolution providing for a public hearing to be held on these condemnation actions at 11:00 a.m. on May 2, 2000.

On March 6, 2000, the Board of Code Standards and Appeals (BCSA) held hearings on the following properties:

<u>Property Address</u>	<u>Council District</u>
1. 730 South Poplar	III
2. 2143 South Water	III
3. 2538 South Laura	III
4. 4430-32 East Boston	II

Pursuant to State Statute the Resolutions were duly published twice on March 22, 2000 and March 29, 2000. A copy of each resolution was sent by certified mail or given personal service delivery to the owners and lien holders of record of each described property.

Mayor Knight

Mayor Knight inquired whether anyone wished to be heard and no one appeared.

Motion --

Lambke moved that the public hearing be closed, the resolutions declaring the building(s) dangerous and unsafe structures be adopted, the staff recommended time frame to alleviate the findings be approved and any extensions of time granted to repair the structures would be conditioned on the following: (1) any back taxes now due are to be paid and taxes kept current, (2) the structures are to be kept secured, and (3) the premises are to be kept mowed and free of debris; if any of these conditions are not met, staff is directed to proceed to let for bids to demolish the structure; and the City Clerk be instructed to have the Resolution published once in the official city paper and advise the owners of these findings. Motion carried 7 to 0.

-- carried

RESOLUTION NO. R-00-175

A Resolution finding that the structure located on Lot 30 and the north 15 feet of Lot 32, Second Sunnyside Addition to Wichita, Sedgwick County, Kansas, commonly known as 730 South Poplar,, Wichita, Kansas, is unsafe or dangerous and directing the structure(s) to be made safe and secure or removed, read. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

RESOLUTION NO. R-00-176

A Resolution finding that the structure located on Lots 122 and 124, on Water Street, English's Ninth Addition to Wichita, Sedgwick County, Kansas, commonly known as 2143 South Water, Wichita, Kansas, is unsafe or dangerous and directing the structure(s) to be made safe and secure or removed, read. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

RESOLUTION NO. R-00-177

A Resolution finding that the structure located on Lots 33 and 35, Block 7, Ohio Avenue, in La Mascotte Addition, subdivision of Blocks 3 and 7 in Beal's Addition to Wichita, Sedgwick County, Kansas, commonly known as 2538 South Laura, Wichita, Kansas, is unsafe or dangerous and directing the structure(s) to be made safe and secure or removed, read. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

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RESOLUTION NO. R-00-178

A Resolution finding that the structure located on Lot 41, Block D, Hilltop Manor, a Replat of parts of Hilltop Manor and Hilltop Manor Second Addition to Wichita, Sedgwick County, Kansas, commonly known as 4430-32 East Boston Wichita, Kansas, is unsafe or dangerous and directing the structure(s) to be made safe and secure or removed, read. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

CITY COUNCIL AGENDA

TRAVEL APPROVAL APPROVAL OF COUNCIL MEMBER MARTZ'S TRAVEL TO CORPUS CHRISTI, TEXAS, JUNE 8-10, 2000, TO ATTEND NLC HUMAN DEVELOPMENT STEERING COMMITTEE MEETINGS.

Motion -- carried Knight moved that the travel expenditures be approved. Motion carried 7 to 0.

APPROVAL OF COUNCIL MEMBER GALE'S TRAVEL TO OKLAHOMA CITY, JUNE 1-3, 2000, TO ATTEND NLC PUBLIC SAFETY AND CRIME PREVENTION STEERING COMMITTEE MEETINGS.

Motion -- carried Knight moved that the travel expenditures be approved. Motion carried 7 to 0.

APPOINTMENTS BOARD/COMMISSION APPOINTMENTS.

Motion -- Pisciotte appointed Alice James to District II Advisory Board and moved that the appointment be approved.
-- carried Motion carried 7 to 0.

CONSENT AGENDA

Knight moved that the Consent Agenda, except Item Number 21, including Addendum Item 13a, be approved in accordance with the recommended action shown thereon. Motion carried 7 to 0.

BOARD OF BIDS REPORT OF THE BOARD OF BIDS AND CONTRACTS DATED MAY 1, 2000.

Bids were opened April 21, 2000, and April 28, 2000, pursuant to advertisements published on:

2000 enhanced maintenance concrete repairs Phase 5 - Pawnee, west of Meridian. (/706786_5/405241) Traffic to be maintained during construction using flagpersons and barricades. City Council approval date: 12/07/1999. (Districts I, IV, VI)

McFadden Construction - \$234,849.00 (Engineer's estimate)

2000 contract maintenance polypatch crack repair - at various locations. (/792268/706786_2/405901/ 405241) Traffic to be maintained during construction using flagpersons and barricades. City Council approval date: 12/07/1999.

Ferguson Paving - \$256,750.00 (Engineer's estimate)

Walnut, from the north line of Barbara to 458 feet north of Barbara to serve F.A. Brown's Addition - (west of Seneca, south of Pawnee. (472-83085/765575 /490686) Traffic to be maintained during construction using flagpersons and barricades. City Council approval date: 03/16/1999. (District IV); AND Barbara, from the east line of Seneca to the west line of Osage to serve F.A. Brown's, Heersche's Replat, Taton, Gold's, Sedona, and Palin Additions - west of Seneca, south of Pawnee. (472-83086/765576 490687). City Council approval date: 03/16/1999. (District IV)

Kansas Paving Company - \$169,172.50 (Total aggregate bid)

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Lateral 2, Main 26, War Industries Sewer to serve Regency Park Addition - west of Greenwich Road, north of K-96. (468-83062/743831/480519) Does not affect existing traffic. City Council approval date: 02/15/2000. (District II)

Utility Contractors - \$69,495.00

Lateral 442, Southwest Interceptor Sewer to serve Angel Acres Addition - west of Meridian, north of 47th Street South. (468-83044/743822/480510) Does not affect existing traffic. City Council approval date: 11/02/1999. (District IV)

WB Carter Construction - \$146,131.00

2000 condemned sidewalk and wheelchair ramps - Phase I - at various locations. (/132100/785011/ 399125) Traffic to be maintained during construction using flagpersons and barricades. City Council approval date: 08/10/1999.

Barkley Construction - \$197,825.00 (Engineer's estimate)

Water distribution system to serve Aberdeen Third Addition - north of 21st, east of 119th Street West. (448-89402/734958/470628) Does not affect existing traffic. City Council approval date: 06/22/1999. (District V)

Mies Construction - \$105,000.00

Lateral 137, Main 4, Sanitary Sewer No. 23 to serve Walnut Grove Addition - west of Arkansas, north of 33rd Street North. (448-83022/743814/480502) Traffic to be maintained during construction using flagpersons and barricades. City Council approval date: 09/14/1999. (District VI)

WB Carter Construction - \$8,831.00

2000 contract maintenance raising and under-sealing concrete slabs by foam jacking. south of Harry and west of McLean. (/132274/) Traffic to be maintained during construction using flagpersons and barricades. City Council approval date: 12/07/1999. (District all)

Uretek USA, Inc. - \$100,006.97

Knight moved that the contract(s) be awarded as outlined above, subject to check, same being the lowest and best bid within the Engineer's construction estimate, and the and the necessary signatures be authorized. Motion carried 7 to 0.

LIBRARY DEPARTMENT: Janitorial services. (101014)

Kansas Building Maintenance, Inc. - \$350.00 (Base bid Item 1/per month)
\$ 70.00 (Base bid Item 2/per month)
\$ 90.00 (Base bid Item 3/per month)
\$ 85.00 (Base bid Item 4/per month)
\$350.00 (Base bid Item 5/per month)
\$110.00 (Base bid Item 6/per month)
\$.08 (Option 1/per sq. ft.)
\$.10 (Option 2/per sq. ft.)
\$ 35.00 (Option #3/per callout-3A)
\$ 20.00 (Option #3/per callout-3B)
\$ 20.00 (Option #3/per callout-3C)
\$ 20.00 (Option #3/per callout-3D)
\$ 40.00 (Option #3/per callout-3E)
\$ 30.00 (Option #3/per callout-3F)
\$ 7.95 (Option 4/per man/per hour)

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POLICE DEPARTMENT/FIELD SERVICES DIVISION: Level III Entry Vests. (602105)

Baysinger Police Supply - \$17,825.00 (Total Item 1)

HOUSING SERVICES DEPARTMENT/NEIGHBORHOOD IMPROVEMENT DIVISION: Exterior Paint. (602307)

Porter Paints - \$ 8.72 (Item 1/per gallon)
\$ 8.72 (Item 2/per gallon)
\$ 9.72 (Item 3/per gallon)
\$11.32 (Item 4/per gallon)
\$10.82 (Item 5/per gallon)
\$10.76 (Item 6/per gallon)

FINANCE DEPARTMENT/DATA CENTER DIVISION: Exchange Cluster Replacement Systems. (035105)

Integrated Solutions Group - \$20,910.05 (Group I/total net bid)
\$21,476.42 (Group II/total net bid)

PUBLIC WORKS DEPARTMENT/FLEET & BUILDINGS DIVISION: Main & Gutter Brooms for Street Sweepers. (130849)

Key Equipment & Supply Company - \$235.00 (Item 1/per each)
\$ 16.00 (Item 2/per segment)
\$185.00 (Item 3/per each)
\$108.00 (Item 4/per each)

WATER & SEWER DEPARTMENT/WATER DISTRIBUTION DIVISION: Waterworks Supplies. (181222)

Water Products, Inc. -\$149.89# (Group I/Item 1/per each)
\$193.04# (Group I/Item 2/per each)
\$251.00# (Group I/Item 3/per each)
\$392.71# (Group I/Item 4/per each)
\$183.77# (Group I/Item 5/per each)
\$243.62# (Group I/Item 6/per each)
\$379.45# (Group I/Item 7/per each)
\$753.60# (Group I/Item 8/per each)
\$ 8.35# (Group I/Item 9/per each)
\$212.81# (Group I/Item 10/per each)
\$355.33# (Group I/Item 11/per each)
\$210.61# (Group I/Item 12/per each)
\$358.98# (Group I/Item 13/per each)
\$301.53# (Group I/Item 14/per each)
\$ 4.05# (Group I/Item 15/per each)
\$ 17.64# (Group I/Item 16/per each)
\$ 19.03# (Group I/Item 17/per each)
\$ 33.42# (Group I/Item 18/per each)
\$ 39.18# (Group I/Item 19/per each)
\$ 44.32# (Group I/Item 20/per each)
\$ 31.62# (Group I/Item 21/per each)
\$ 53.83# (Group I/Item 22/per each)
\$ 61.29# (Group I/Item 23/per each)
\$ 67.83# (Group I/Item 24/per each)
\$ 3.01# (Group I/Item 25/per each)
\$ 3.75# (Group I/Item 26/per each)
\$ 4.89# (Group I/Item 27/per each)
\$ 7.23# (Group I/Item 28/per each)
\$ 9.64# (Group I/Item 29/per each)
\$ 11.94# (Group I/Item 30/per each)
\$ 14.10# (Group I/Item 31/per each)
(Items 32-38/Deleted)

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\$ 22.81# (Group I/Item 39/per each)
\$ 44.00# (Group I/Item 40/per each)
\$ 11.00# (Group I/Item 41/per each)
\$ 15.24# (Group I/Item 42/per each)
\$ 21.12# (Group I/Item 43/per each)
\$ 58.91# (Group I/Item 44/per each)
\$ 18.88# (Group I/Item 45/per each)
\$ 23.81# (Group I/Item 46/per each)
\$ 62.13# (Group I/Item 47/per each)
\$ 12.44# (Group I/Item 48/per each)
\$ 16.32# (Group I/Item 49/per each)
\$ 16.48# (Group I/Item 50/per each)
\$ 21.40# (Group I/Item 51/per each)
\$ 28.97# (Group I/Item 52/per each)
\$ 39.08# (Group I/Item 53/per each)
\$ 11.68# (Group I/Item 54/per each)
\$ 4.35# (Group I/Item 55/per each)
\$ 5.27# (Group I/Item 56/per each)
\$ 4.75# (Group I/Item 57/per each)
\$ 4.80# (Group I/Item 58/per each)
\$ 1.35# (Group I/Item 59/per each)
\$ 1.35# (Group I/Item 60/per each)
\$ 3.86# (Group I/Item 61/per each)

Wichita Winwater Works - \$8.87# (Group II/Item 1/per each)

\$ 9.12# (Group II/Item 2/per each)

\$ 9.72# (Group II/Item 2a/per each)

\$39.50# (Group II/Item 3/per each)

\$ 9.56# (Group II/Item 4/per each)

Hajoca Corporation - \$40.00# (Group III/Item 1/per each)

\$33.00# (Group III/Item 2/per each)

Water Products, Inc. - \$23.20#(Group IV/Item 1/per each)

\$.44#(Group V/Item 1/per foot)

\$.44#(Group V/Item 2/per foot)

\$.59#(Group V/Item 3/per foot)

\$ 2.11#(Group V/Item 4/per foot)

\$ 3.97#(Group V/Item 5/per foot)

\$ 6.82#(Group V/Item 6/per foot)

\$14.69#(Group V/Item 7/per foot)

#Plus applicable sales tax

Knight moved that the contract(s) be awarded as outlined above, same being the lowest and best bid, and the necessary signatures be authorized. Motion carried 7 to 0.

LICENSES

APPLICATION FOR LICENSES FOR ADULT ENTERTAINMENT ESTABLISHMENTS/SERVICES.

New - Adult Entertainment

Gail R. Crump

Adult Super Store

5818 South Broadway

Renewal- Adult Entertainment

Lewis F. Self, Jr.

After Dark Video

2809 North Broadway

Lewis F. Self, Jr.

After Dark Video

7805 West Kellogg

Lewis F. Self, Jr.

After Dark Video

3721 South Broadway

Motion -- carried

Knight moved that the licenses be approved subject to Staff approval. Motion carried 7 to 0.

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Applications for Licenses to Retail Cereal Malt Beverages:

<u>Renewal</u>	<u>2000</u>	<u>(Consumption on Premises)</u>
Paul A. Eck	Family Home Association, Inc.*	3202 West 13th Street
		<u>(Consumption off Premises)</u>
William Krause	Kum & Go #320	6330 East 21st Street
William Krause	Kum & Go #327	707 North Waco
Julie Gregg	Kum & Go #323	3405 South West Street
Julie Gregg	Kum & Go #326	277 South Ridge Road
<u>Special Event</u>	<u>May 6, 2000</u>	
Devin W. Hansen	Old Town Association	811 East Waterman
	<u>May 19-20, 2000</u>	
Jim McKain	Ice Sports Center of Wichita, LLC	505 West Maple

*General/Restaurant -- 50% or more of gross receipts derived from sale of food.

Addendum Item 13a	<u>Special Event</u>	<u>May 5, 6, and 7th, 2000</u>	
	Ricardo G. Moreno	American GI Forum – Veterans Organization	
	Cinco de Mayo	Fireside Lanes	808 West 25 th North

Motion -- carried Knight moved that the licenses be approved subject to Staff approval. Motion carried 7 to 0.

PLANS AND SPECS. SUBDIVISION PLANS AND SPECIFICATIONS.

There were no subdivision plans and specs considered.

PRELIMINARY EST. PRELIMINARY ESTIMATES:

- a) 33rd Street North Bridge at West Drain - north of 29th Street North, west of Broadway. (87 N-0121-01/472-83046/448-89346/715679/636079/240087/779159) Bridge to be closed to traffic. City Council approval date: 01/11/2000. (District VI) - \$565,900.00
- b) 2000 contract maintenance mill and overlay - at various locations. (/132282/706786/621326/405241/533243) Traffic to be maintained during construction using flagpersons and barricades. City Council approval date: 12/07/1999. (Districts I, II, IV & VI) - \$737,273.00
- c) Alley between Broadway and Topeka, from the north line of English to the south line of William and sanitary sewer relocation to serve English Addition - east of Broadway, south of Douglas. (472-82404 /762252/620283/490328/660408) Traffic to be maintained during construction using flagpersons and barricades. City Council approval date: 11/23/1993. (District VI) - \$130,640.00
- d) Lateral 432, Southwest Interceptor Sewer to serve Aberdeen Third Addition - north of 21st Street North, east of 119th Street West. (468-83004/743833/480521) Does not affect existing traffic. City Council approval date: 06/22/1999. (District V) - \$474,760.00
- e) Water distribution system to serve Angel Acres Addition - west of Meridian, north of 47th Street South. (448-89430/734947/470617) Does not affect existing traffic. City Council approval date: 11/02/1999. (District IV) - \$60,900.00
- f) Water distribution system to serve Great Plains Business Park Second Addition - south of 37th Street North, east of Oliver. (448-89450/734953/470623) Does not affect existing traffic. City Council approval date: 02/08/2000. (District I) - \$75,000.00

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g) Lateral 60, Main 4, Southwest Interceptor Sewer to serve Unplatted Tracts -north of Maple, east of Tyler. (468-83043/743820/480508) Traffic to be maintained during construction using flagpersons and barricades. City Council approval date: 11/16/1999. (District V) - \$8,560.00

h) 2000 enhanced maintenance concrete repairs Phase 5 - Pawnee, west of Meridian. (/706786_5/405241) Traffic to be maintained during construction using flagpersons and barricades. City Council approval date: 12/07/1999. (Districts I, IV, VI) - \$257,967.50

i) 2000 contract maintenance polypatch crack repair - at various locations. (/792268/706786_2/405901/405241) Traffic to be maintained during construction using flagpersons and barricades. City Council approval date: 12/07/1999. (District all) - \$271,385.00

j) Walnut, from the north line of Barbara to 458 feet north of Barbara to serve F.A. Brown's Addition - (west of Seneca, south of Pawnee. (472-83085/765575/490686) Traffic to be maintained during construction using flagpersons and barricades. City Council approval date: 03/16/1999. (District IV) - \$80,640.00

k) Barbara, from the east line of Seneca to the west line of Osage to serve F.A. Brown's, Heersche's Replat, Taton, Gold's, Sedona, and Palin Additions - west of Seneca, south of Pawnee. (472-83086/765576 490687). City Council approval date: 03/16/1999. (District IV) - \$195,800.00

l) Lateral 2, Main 26, War Industries Sewer to serve Regency Park Addition - west of Greenwich Road, north of K-96. (468-83062/743831/480519) Does not affect existing traffic. City Council approval date: 02/15/2000. (District II) - \$109,000.00

m) Lateral 442, Southwest Interceptor Sewer to serve Angel Acres Addition - west of Meridian, north of 47th Street South. (468-83044/743822/480510) Does not affect existing traffic. City Council approval date: 11/02/1999. (District IV) - \$200,200.00

Motion -- carried

Knight moved that the Preliminary Estimates be approved and filed. Motion carried 7 to 0.

DEEDS/EASEMENTS

DEEDS AND EASEMENTS:

a) Sewer easement dated February 23, 2000 from 3-AH, Inc. for a tract in Block 3, Aberdeen Third Addition to Wichita, Sedgwick County, Kansas (Lat. 432, SWI, OCA # 743833). No cost to City.

b) Sewer easement dated February 23, 2000 from 3-AH, Inc. for a tract in Block 3, Aberdeen Third Addition to Wichita, Sedgwick County, Kansas (Lat. 432, SWI, OCA # 743833). No cost to City.

c) Sewer easement dated February 23, 2000 from 3-AH, Inc. for a tract in Block 3, Aberdeen Third Addition to Wichita, Sedgwick County, Kansas (Lat. 432, SWI, OCA # 743833) No cost to City.

d) Sewer easement dated February 23, 2000 from 3-AH, Inc. for a tract in Reserve C, Aberdeen Third Addition to Wichita, Sedgwick County, Kansas (Lat. 432, SWI, OCA # 743833). No cost to City.

e) Quit Claim Deed dated April 10, 2000 from BERM, LLC, a Kansas Limited Liability Company for tracts of land in the NE 1/4 of Sec. 26, Twp. 27-S, R-2-W of the 6th P.M., Wichita, Sedgwick County, Kansas. - Auburn Hills Golf Course. (OCA 696047) No cost to City).

f) Drainage easement dated April 19, 2000 from East 21st Development Venture for tracts of land in Lots 3, 4, 7, 23, 24, 30, and 31, Block 2, Regency Lakes, and Addition to Wichita, Sedgwick County, Kansas - Regency Lakes Paving Project. (OCA 765620) No cost to City.

Motion -- carried

Knight moved that the documents be received and filed. Motion carried 7 to 0.

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IMPROVEMENT PETITIONS

PETITION FOR PAVING, SANITARY SEWER, AND WATER DISTRIBUTION SYSTEM TO SERVE ABERDEEN THIRD ADDITION AND EVERGREEN SECOND ADDITION, NORTH OF 21ST, EAST OF 119TH STREET WEST. (District V)

Agenda Report No. 00-0406.

The signature on the Petitions represents three owners that own 100% of the improvement districts.

Aberdeen 3rd Addition and Evergreen 2nd Addition were platted in 1999. The developers have submitted new Petitions to rephrase the developments to accommodate a change in development plan.

The Petitions total \$2,070,000. The funding source is special assessments.

Motion -- carried

Knight moved that the Petitions be approved and the Resolutions be adopted. Motion carried 7 to 0.

RESOLUTION NO. R-00-181

Resolution of findings of advisability and resolution authorizing construction of Water Distribution System Number 448-89042 (north of 21st, East of 119th Street West), presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Ayes: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

RESOLUTION NO.R-00-180

Resolution of findings of advisability and resolution authorizing construction of Lateral 432, Southwest interceptor Sewer (north of 21st, East of 119th Street West), presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Ayes: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

RESOLUTION NO.R-00-179

Resolution of findings of advisability and resolution authorizing improving of Shefford from the north line of Lot 1, Block 3, south to the east line of Aberdeen Third Addition; Shefford Circle adjacent to Lots 43 to 50, and Lots 52 to 59, Block 3; Shefford Court to serve the following Lots: Lots 7 to 15; Block 3; Lots 16 to 25, Block 3; Lots 30 to 36, Block 3; Lots 3 to 14; Block 4; Lots 16 to 29, Block 5; and Lots 34 to 40, Block 5; Neville from the east line of Shefford to the east line of said Addition; and Neville Court adjacent to Lots 1 to 10, Block 5, Project No. 472-83125 (north of 21st, East of 119th Street West), presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Ayes: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

SANITARY SEWER

PETITION FOR SANITARY SEWER TO SERVE ANGEL ACRES ADDITION, WEST OF MERIDIAN, NORTH OF 47TH STREET SOUTH. (District IV)

Agenda Report No. 00-0407.

On November 2, 1999, the City Council approved a Petition to construct a Sanitary Sewer to serve Angel Acres Addition (west of Meridian, north of 47th Street South). An attempt to award a construction Contract within the budget set by the Petition was unsuccessful.

A new Petition with an increased budget has been submitted. The signature on the new Petition represents one owner of 100% of the improvement district.

The original Petition totaled \$124,100. The new Petition totals \$200,200. The funding source is special assessments.

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Motion -- carried

Knight moved that the Petition be approved and the Resolution be adopted. Motion carried 7 to 0.

RESOLUTION NO. R-00-182

Resolution of findings of advisability and Resolution authorizing construction of Lateral 442, Southwest Interceptor Sewer (west of Meridian, north of 47th Street South), Project No. 468-83044, in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

REGENCY PARK

PETITION FOR SANITARY SEWER TO SERVE REGENCY PARK ADDITION, WEST OF GREENWICH, NORTH OF K-96. (District II)

Agenda Report No. 00-0408.

The signature on the Petitions represents one owner that owns 100% of the improvement districts.

Regency Park Addition was platted in 2000. The developer has submitted new Petitions to rephrase the development to accommodate a change in development plan.

The Petitions total \$141,000. The funding source is special assessments.

Motion -- carried

Knight moved that the Petition be approved and the Resolutions be adopted. Motion carried 7 to 0.

RESOLUTION NO. R-00-183

Resolution of findings of advisability and Resolution authorizing construction of Lateral 2, Main 26, War Industries Sewer, (west of Greenwich, north of K-96), 468-83062, in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

RESOLUTION NO. R-00-184

Resolution of findings of advisability and Resolution authorizing construction of Lateral 5, Main 26, War Industries Sewer, (west of Greenwich, north of K-96), 468-83099, in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

WALNUT GROVE

PETITION FOR SANITARY SEWER TO SERVE PART OF LOT 20, WALNUT GROVE ADDITION, WEST OF ARKANSAS AVENUE, NORTH OF 33RD STREET NORTH. (District VI)

Agenda Report No. 00-0409.

On September 14, 1999, the City Council approved a Petition to construct a Sanitary Sewer to serve part of Lot 20, Walnut Grove Addition (west of Arkansas Avenue, north of 33rd Street North). An attempt to award a construction Contract within the budget set by the Petition was unsuccessful.

A new Petition with an increased budget has been submitted. The signature on the new Petition represents one owner of 100% of the improvement district.

The original Petition totaled \$8,000. The new Petition totals \$11,000. The funding source is special assessments.

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Motion -- carried

Knight moved that the Petition be approved and the Resolution be adopted. Motion carried 7 to 0.

RESOLUTION NO.R-00-185

Resolution of findings of advisability and Resolution authorizing construction of Lateral 137, Main 4, Sanitary Sewer #23, (west of Arkansas Avenue, north of 33rd Street North), 468-83022, in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

BOARDS MINUTES

MINUTES OF ADVISORY BOARDS/COMMISSIONS:

Board of County Commissioners and Wichita City Council, En Banc Meeting, 7-14-1999
MAPC, 2-10-2000

Motion -- carried

Knight moved that the Minutes be received and filed. Motion carried 7 to 0.

ANNUAL REPORTS

1999 ANNUAL REPORTS OF ADVISORY BOARDS/COMMISSIONS:

Wichita Airport Authority
Deferred Compensation Board
Wichita-Sedgwick County Metropolitan Area Planning Department
Board of Park Commissioners

Motion -- carried

Knight moved that the Reports be received and filed. Motion carried 7 to 0.

STREET CLOSURE

STREET CLOSURE - WESTBOUND KELLOGG FROM 127TH STREET EAST TO ¼ MILE WEST OF WEBB ROAD. (District II)

Agenda Report No. 00-0410.

Cornejo & Sons, Inc. has contracted to accomplish concrete pavement patching and asphalt overlay in the westbound lanes of Kellogg (U.S. 54/400) in the 2 ¼ mile section west of 127th Street East. The contractor is requesting the partial closure of westbound Kellogg as necessary in the project area. Work is expected to begin approximately Wednesday, May 3, 2000 and patching is expected to be completed by May 26, 2000. Westbound Kellogg traffic will be carried in one lane through the construction area; eastbound Kellogg traffic will not be affected.

After the patch work is completed, Kellogg will be opened to full traffic until mid June or July when temperatures will allow surface milling and overlay to be completed. A message board will be used to advise westbound traffic of the tentative dates for the one-week partial closure to accomplish the mill and overlay.

The Contractor is responsible for the construction barricades, detour signing and notification of affected businesses and residents.

Motion -- carried

Knight moved that the street closure be approved. Motion carried 7 to 0.

(Item No. 21)

QUARTERLY REPORT

QUARTERLY FINANCIAL REPORT FOR THE PERIOD ENDED MARCH 31, 2000.

Chris Cherches

City Manager reviewed the Item.

Motion -- carried

Knight moved that the Report be received and filed. Motion carried 7 to 0.

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RESPREAD SPECIALS AGREEMENT TO RESPREAD ASSESSMENTS – RIDGE PORT FOURTH ADDITION, NORTH OF 29TH, EAST OF RIDGE. (District V)

Agenda Report No. 00-0411.

The developer, Ridge Port Development, L.L.C., platted Ridge Port 4th Addition and has submitted an Agreement to respread special assessments.

The land was originally included in numerous improvement districts for a number of public improvement projects. The purpose of the Agreement is to respread special assessments on an equal share basis for each lot. Without the Agreement, the assessments will be spread on a square foot basis. The Agreement will equalize the assessments for each lot, making it easier for the developer to market the lots.

There is no cost to the City.

Motion -- Knight moved that the Agreement/Contract be approved and the necessary signatures be authorized. Motion
-- carried carried 7 to 0.

RAILROAD SIGNALS AGREEMENT FOR INSTALLATION OF RAILROAD SIGNALS – MERIDIAN, NORTH OF ORIENT BOULEVARD. (District IV)

Agenda Report No. 00-0412.

Representatives of the City, Kansas Department of Transportation (KDOT), and railroad company reviewed the Central Kansas Railway crossing of Meridian, north of Orient Boulevard, to determine the possible need for signalization improvements. As a result of this review, revisions to the crossing signalization system were recommended, and the process was begun to accomplish these revisions.

The Agreement will authorize the recommended signal revisions. The City's responsibility in this project will be limited to the maintenance of the advance warning signs that presently exist.

The total cost of the project, estimated to be \$132,300, will be funded 100% under Section 130, Federal Funds. There is no cost to the City.

Motion -- Knight moved that the Agreement/Contract be approved and the necessary signatures be authorized. Motion
-- carried carried 7 to 0.

CENTURY II CONTRACT AMENDMENT – EXPO HALL ROOFTOP UNIT RENOVATION. (District I)

Agenda Report No. 00-0413.

On March 17, 1998, the City Council approved a Capital Improvement Project to replace or renovate the rooftop heating and cooling equipment at Expo Hall. The original project budget was \$775,000. Professional Engineering Consultants, P.A. (PEC) was selected as the engineer on this project, and entered into a Contract "not to exceed" an amount of \$48,000. During the course of the project, it became clear that work beyond the original scope of the project would be beneficial; and the project account was increased by \$150,000 (to \$925,000) in February of this year.

The additional work will provide additional improvements in the controls of the heating and cooling system for the comfort levels, and modifications in the Central Ticket Agency to the heating, cooling and ventilation system. PEC has agreed to provide the additional engineering services for an amount not to exceed \$9,999.00

The project is funded by the Convention and Tourism funds. The budget is sufficient to provide for the Contract Amendment and for the resulting construction.

Motion -- Knight moved that the Agreement/Contract be approved and the necessary signatures be authorized. Motion
-- carried carried 7 to 0.

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GILBERT/MOSLEY

SUPPLEMENTAL AGREEMENT FOR LEGAL PROFESSIONAL SERVICES – GILBERT & MOSLEY PROJECT.

Agenda Report No. 00-0414.

The City entered into a professional services agreement and subsequent supplemental agreements with Stinson, Mag & Fizzell to provide legal advice on environmental matters relating to the investigation and clean-up of groundwater contamination in the Gilbert & Mosley Site. That firm, and particularly David R. Tripp, assisted staff and Council on a number of elements on the project and continues to provide advice and legal representation as needed as the project is being implemented. Extensive effort has also been placed in the identification of responsible parties for cost recovery purposes. Litigation against responsible parties is underway.

This supplemental agreement provides additional authority to continue to use the services of Stinson, Mag & Fizzell on an as-needed basis for particular legal and environmental issues. This agreement also continues to provide for the litigation team headed by Robert L. Driscoll which is handling the litigation to recover costs from responsible parties. This agreement also provides for payment of the expert witnesses in the litigation, which are retained by the law firm.

This supplemental agreement provides authority for an additional \$500,000 in legal services and related expenses. These services are budgeted in and will be paid out of the Gilbert & Mosley TIF.

Motion --
-- carried

Knight moved that the Agreement/Contract be approved and the necessary signatures be authorized. Motion carried 7 to 0.

KANSAS FOODBANK

KANSAS FOODBANK WAREHOUSE, INC.

Agenda Report No. 00-0415.

On March 28, 2000, the City Council authorized a 30-day citizen comment period and approved funding subject to the comment period, to assist Kansas Foodbank Warehouse, Inc. in the acquisition of property to be used to construct a new warehouse. The Kansas Foodbank warehouse will be used as a distribution center to issue food to over 400 agencies statewide and 216 agencies in Sedgwick County who in turn provide food to the ill, needy and infants.

The Kansas Foodbank Warehouse, Inc. is a non-profit organization. The construction of the new warehouse and distribution center will enhance response time and cost effectiveness by adding much needed storage space and consolidating all functions in one location.

A contract has been negotiated with Kansas Foodbank Warehouse, Inc. which establishes performance measures and funding. The contract term is May 2, 2000 to May 1, 2001.

Funding for this project will be provided through unexpended prior year CDBG funds.

Motion --
-- carried

Knight moved that the Agreement/Contract be approved and the necessary signatures be authorized. Motion carried 7 to 0.

NEIGHBORHOOD

CONTRACTS FOR NEIGHBORHOOD PLANNING SERVICES.

Agenda Report No. 00-0416.

In response to a grant application submitted last year to the State of Kansas Department of Commerce and Housing (KDCH), the City of Wichita has received \$40,000 in neighborhood grant funding to be used for neighborhood plan development. The City has committed \$30,000 of these funds to prepare neighborhood plans for the Delano and South Wichita-Haysville areas (\$15,000 for each plan). The remaining \$10,000 has been allocated to fund implementation of the Center City Plan recently adopted by City Council. The grant approval from KDCH for the neighborhood plans is contingent upon the City providing a minimum match of staff-in-kind services of \$5,000 each for the Delano Neighborhood Plan and South Wichita-Haysville Area Plan. These plans are intended to: provide a physical assessment of the neighborhood; outline strategies for future redevelopment and new development; estimate costs of needed public infrastructure/improvements/facilities and neighborhood services; and, establish priorities and timelines for public, private and not-for-profit investments.

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Sedgwick County has also committed \$10,000 in KDCH grant funding for the purpose of assisting with the funding of the South Wichita-Haysville Area Plan (which includes unincorporated areas of the County and a portion of Haysville). The City and County have entered into an interlocal agreement whereby the City, through the Metropolitan Area Planning Department, will administer on behalf of the City and the County, the contract for professional services to complete the South Wichita-Haysville Area Plan.

In summary, a total of \$15,000 in City KDCH grant money is available to contract services to complete the Delano Neighborhood Plan, and a combined total of \$25,000 in City/County KDCH grant money is available to contract services to complete the South Wichita-Haysville Plan.

In February of 2000, Requests for Proposals to complete the Delano Neighborhood Plan and South Wichita-Haysville Area Plan were mailed to 27 firms, including 15 local firms. Two firms (both local) replied by the March 3, 2000, submission deadline.

On March 27, 2000, a screening and selection committee interviewed the two consulting firms who had submitted proposals. The Delano proposal was interviewed by a committee comprised of Delano neighborhood representatives and City staff. The South Wichita-Haysville proposal was interviewed by a committee comprised of City staff, County staff, South Wichita neighborhood representatives and City of Haysville representatives.

Based upon the interview, staff qualifications and the merits of the consultant's proposals, the screening and selection committee selected Law/Kingdon, Inc. as the preferred firm to undertake the Delano Neighborhood Plan. Austin Miller P.A./King Merj Public Relations was selected by the screening and selection committee as the preferred firm to undertake the South Wichita-Haysville Area Plan.

Separate contracts have been prepared and are now being presented to the City Council for approval. The target date for completion of the Delano Neighborhood Plan is December 31, 2000. The South Wichita-Haysville Area Plan is scheduled for completion by May 31, 2001.

This agreement commits the City to use the grant money provided by the KDCH as compensation for the consultants selected to complete this neighborhood planning work.

There is no direct funding to be provided by the City for the Delano and South Wichita-Haysville Area Plans. The City is providing \$10,000 in total match that will be contributed through the staff services of the Metropolitan Area Planning Department, the administrator of the grants.

Motion --
-- carried

Knight moved that the Agreement/Contract be approved and the necessary signatures be authorized. Motion carried 7 to 0.

CENTER CITY (C.O.R.E.).CENTER CITY ORGANIZED REVITALIZATION EFFORT (C.O.R.E.).

Agenda Report No. 00-0417.

In August of 1999, the City of Wichita, through the Metropolitan Area Planning Department, applied for an implementation grant from the Kansas Department of Commerce and Housing (KDCH) through the state's Metropolitan Community Capacity Building Grant program. The grant funds were intended to help complete various tasks needed to implement the Center City neighborhood development plan that was nearing completion in the fall of 1999. These state funds were to be matched by an equal amount cash match by the City. For this purpose, the City set aside the necessary monies from the General Fund.

In November of last year, the State notified the City that a grant had been awarded. The amount was \$10,000, with the City's match being another \$10,000 for a total of \$20,000.

The Center City Neighborhood Plan is the first of several neighborhood plans to be adopted as a part of the Wichita-Sedgwick County Comprehensive Plan. The Center City Organized Revitalization Effort (C.O.R.E.), has been the community-based organization leading the planning process. C.O.R.E. is composed of 10 downtown churches, Via Christi Medical Center, area banks and businesses, Historic Midtown Citizens Association, and city and county officials. C.O.R.E. has been instrumental in organizing a visioning and goal setting process that led to the partnership with the City to develop and adopt this plan for the redevelopment of the area. The plan outlines a framework for future redevelopment of the area.

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Now, C.O.R.E. is ready to lead with the implementation of this plan. To do this a contractual agreement has been prepared that would allow C.O.R.E. to complete a number of tasks in return for the use of the \$20,000 that the City and the State provided. Through this contract the City agrees to fund C.O.R.E. contractors or consultants engaged in services that would, among other administrative tasks, include:

- design, planning, real estate or engineering services related to land assembly and site planning
- the preparation of needed financial documents such as pro forma and uses and sources statements
- legal services related to incorporation as a 501 (c) (3) corporation
- advertising of community meetings

The City and C.O.R.E. recognize redevelopment is a difficult process with many different, but interwoven tasks that must be accomplished. To successfully implement the adopted Center City plan, C.O.R.E. must now operate at a higher level of involvement and management with this project. Several important tasks must be completed; these include land acquisition, the preparation of specific building plans and drawings, developer solicitation, fund-raising and the marketing of resulting new and remodeled housing. Specifically, through this contract, C.O.R.E. agrees to:

1. Prepare a report identifying recommended redevelopment strategies for Phase I (six block area) of the project as identified in the plan
2. Identify estimated costs for land acquisition, construction, rehabilitation, and relocation expenses for Phase I
3. Produce the total development cost (TDC) statement for Phase I
4. Prepare a schedule of planned Phase I improvements
5. Provide verification of incorporation as a 501 (c) (3) corporation

In return, the City agrees to make timely payments to C.O.R.E.'s contractors and consultants upon receipt of duly documented invoices for services.

The approval of the contract authorizes the expenditure of \$10,000 of General Revenue funds which were committed to this effort last Fall as a requirement of the grant application process. The funds have been transferred from the General Fund into the Planning Department's neighborhood planning Center City account. The remaining \$10,000 represents the actual State grant funds received which would be passed through to C.O.R.E.

Motion --
-- carried

Knight moved that the Agreement/Contract be approved and the necessary signatures be authorized. Motion carried 7 to 0.

DESIGN SERVICES

DESIGN SERVICES AGREEMENT - ORME STREET IMPROVEMENTS. (District II)

Agenda Report No. 00-0418.

This project will be done in conjunction with East Kellogg improvements.

The proposed Agreement between the City and Austin Miller, P.A. provides for the designing improvements to Orme Street. The project is divided into two phases. Phase I improvements include redesigning the intersection of Belmont and Orme and designing street paving to connect Orme across Dry Creek. Phase II improvements include realigning Orme from Woodlawn to Hunter, extending Orme from Gouverneur to Calhoun and designing a bridge on Orme over Gypsum Creek.

Payment will be on a lump sum basis of \$88,000 and will be paid by Local Sales Tax.

Motion --
-- carried

Knight moved that the Agreement/Contract be approved and the necessary signatures be authorized. Motion carried 7 to 0.

DESIGN SERVICES

DESIGN SERVICES AGREEMENT - ABERDEEN THIRD ADDITION, NORTH OF 21ST, EAST OF 119TH STREET WEST. (District V)

Agenda Report No. 00-0419.

The City Council approved the Aberdeen 3rd Addition plat on June 22, 1999.

The proposed Agreement between the City and Poe & Associates of Kansas, Inc. provides for the design of bond financed improvements in Aberdeen 3rd Addition. Per Administrative Regulation 7a, staff recommends the

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selection of Poe because Poe provided the preliminary engineering services for the platting of the subdivision and can expedite plan preparation.

Payment will be on a lump sum basis of \$140,700, and will be paid by special assessments.

Motion --
-- carried

Knight moved that the Agreement/Contract be approved and the necessary signatures be authorized. Motion carried 7 to 0.

AUBURN HILLS

CHANGE ORDER - AUBURN HILLS GOLF COURSE, SOUTH OF MAPLE, EAST OF 151ST STREET WEST. (District V)

Agenda Report No. 00-0420.

On September 15, 1998, the City Council approved a construction Contract for the Auburn Hills Golf Course. Based on experience with heavy rains last year, the drainage system should be expanded and the golf course rough should be seeded with Fescue rather than Bermuda grass.

A Change Order has been prepared that authorizes the additional work. Funding is available within the project budget.

The total cost of the additional work is \$25,307. The funding source is the Auburn Hills Golf Course fund.

Motion -- carried

Knight moved that the change order be approved and the necessary signatures be authorized. Motion carried 7 to 0.

NE TRANSMISSION

CHANGE ORDER - NORTHEAST TRANSMISSION LINE, PHASE I. (District VI)

Agenda Report No. 00-0421.

On September 8, 1998, the City Council approved a construction Contract to build a large waterline from the Hess Pump Station in the Riverside area to the northeast part of the City. During excavation near the Art Museum, it was determined that the project is in conflict with an old, unmapped waterline. The design has been modified to realign the new line to avoid the service disruption that would result if the old waterline were relocated.

A Change Order has been prepared that authorizes the additional work. Funding is available within the project budget.

The total cost of the additional work is \$74,714. The funding source is the Water Utility.

Motion -- carried

Knight moved that the change order be approved and the necessary signatures be authorized. Motion carried 7 to 0.

BOMBARDIER

APPROVAL OF ECONOMIC DEVELOPMENT INCENTIVES FOR BOMBARDIER CONTINENTAL PROJECT. (District V)

Agenda Report No. 00-0422.

On June 11, 1999, Bombardier Learjet announced the selection of the Wichita plant to be the site of final assembly and delivery of the new Bombardier Continental Jet. Wichita was selected as the site for this project following a company-wide competition between Wichita and Bombardier's plants in Toronto and Montreal. To enhance the chances that Wichita would be selected, the City, County and State offered an economic incentive package valued at nearly \$6 million. The State of Kansas offer included grants worth \$1.2 million and tax incentives worth up to \$4.3 million. The City and County offer included cash grants of \$250,000 each, totalling \$500,000. If approved, the City-County incentive will be used to pay for a street extension in order to improve access to the Learjet plant.

The Continental Jet is Bombardier's newest business jet, filling a niche between the light and midsize Learjet series of jets and the widebody Challenger series. Still considered a midsize business jet, the Challenger will carry up to 12 passengers non-stop across North America at a speed of Mach 0.82. When production begins later this year, the Continental Jet will be the largest aircraft currently produced in Wichita. Some major components of the Continental will be produced overseas and elsewhere in the U.S. and shipped to Wichita for final assembly.

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To accommodate the production of the Continental Jet in Wichita, Bombardier will spend over \$27 million during the next two years on plant improvements and new equipment. It is anticipated that this investment will be financed with City of Wichita industrial revenue bonds under the \$86 million 5-year letter of intent that was approved by the Council in 1996. The letter of intent also provides for a 10-year tax abatement on all bond-financed property.

As a result of the Continental Jet program, Bombardier plans to add 250 permanent jobs to its existing employment of 3,900 jobs. In addition, during the two-year development phase of the program, up to 120 contract employees will be brought to Wichita from such venture partners as AlliedSignal and Mitzubishi.

To facilitate the delivery of large-sized component parts coming to the Wichita Learjet Plant on semi-trailers, Bombardier has asked the City to use its offered incentive grant to extend Woodchuck Street from its current terminus at Irving Street, near Kellogg, south along the eastern boundary of the Learjet property, to connect with Learjet Way (Harry Street). This will allow ingress and egress at the east side of the plant where the components are needed to fit into the Continental manufacturing system. Currently, the only access to the plant for large vehicles is through the main entrance at Tyler Road.

The preliminary estimate for the cost of extending Woodchuck is approximately \$500,000. The City and County will split the cost equally. Any costs in excess of \$500,000 will be borne by Bombardier. The source of funding for the City's contribution of \$250,000 will be the Economic Development Trust fund reserve.

Staff will return to Council for approval of a design contract for the Woodchuck project. It is proposed that the consultant currently designing improvements to Learjet Way be used to design the extension of Woodchuck.

Motion -- carried

Knight moved that the Continental Jet incentives offered to Bombardier be approved. Motion carried 7 to 0.

IRB M.A.L.T.

PURCHASE OPTION - M.A.L.T. INVESTMENT COMPANY. (District VI)

Agenda Report No. 00-0423.

On October 25, 1994, the Wichita City Council approved the issuance of \$930,000 in Industrial Revenue Refunding Bonds, Series XII, 1994, to redeem the outstanding principle amount of the 1990 Series I bonds. The 1990 bonds were used to refund previously issued bonds issued to finance the acquisition and renovation of an office building located at 516-532 South Market.

Under the provisions of Sections 16.1 and 16.2 of the Lease Agreement for the bond series, M.A.L.T. Investment Company has the option, if all outstanding bonds have been paid, to purchase the facility from the City of Wichita for the sum of \$1,000. The City of Wichita on March 21, 2000, received notice from the M.A.L.T. Investment Company of a request to call outstanding bonds and of the company's intention to exercise its purchase option.

Under the terms of the Lease, the City is required to convey the personal property securing the IRB issue to the Tenant, once the Tenant has paid the purchase price and other considerations as listed under the provisions of the Lease Agreement, including the payment of all outstanding bonds.

The purchase price is \$1,000 and other considerations as listed under the provision of the Lease Agreement to redeem and retire all outstanding bonds. This price includes without limitations, principal, interest, redemption premium, and all other expenses of redemption, and trustee fees, but after the deduction of any amounts described and provided for in the Lease Agreement and available for such redemption.

The City is contractually bound to convey the IRB Project property to the Tenant by special warranty deed, once all the conditions established in the Lease have been met.

Motion --
-- carried

Knight moved that the bond call be ratified; the documents be approved and the necessary signatures be authorized; and the Resolution be adopted. Motion carried 7 to 0.

RESOLUTION NO. R-00-186

A Resolution authorizing the City of Wichita, Kansas, to convey certain real property to M.A.L.T. Investment Company and prescribing the form of and authorizing the execution and delivery of certain documents in connection therewith, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

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TAX CREDITS

KANSAS COMMUNITY SERVICE PROGRAM ACT APPLICATIONS.

Agenda Report No. 00-0424.

On July 1, 1994, the State of Kansas initiated the Kansas Community Service Program Act. The Act authorizes tax credits (from state income tax) for cash contributions made to approved non profit organizations by private business firms, financial institutions and insurance companies. The State of Kansas has authorized a total of \$5 million in tax credits per fiscal year, for eligible projects. Eligible contributors (usually private for profit companies) receive a credit equal to 50% of the amount donated to non-profits. Typically, the tax credit proceeds are used for capital projects, either new facilities or expansion of existing facilities that are one-time in nature. Applications for the State tax credits for non-profits are competitive.

A number of local agencies have submitted requests for local government endorsement of their State non-profit tax credit applications. If approved by the State, the eligible contributor is eligible to receive 50% credit of the cash contribution towards their State income taxes for contributions made to the community service organization during a one year period from the date of application approval.

The proposed applications do not conflict with any local plans, zoning or land use requirements. The endorsement does not obligate the City to fund, supervise or in any way associate itself with the applicant.

The proposed applications have no impact on City finances and do not require any City financial participation.

KANSAS COMMUNITY SERVICE PROGRAM APPLICANTS

Inter-Faith Ministries Wichita, Inc. is requesting \$300,000 in tax credits to embark on a "Building New Community Campaign". The focus of this \$2,379,900 project is offering a support action at the local level, with an emphasis on training, equipping of potential and existing community leaders. This project is intended to benefit Sedgwick County, with the probability of growth throughout the state.

Teen Centers, Inc. project will consist of a center where youth can gather in a drug and alcohol free atmosphere. The facility located at 552 W. Douglas will serve youth with recreational and educational activities to reduce juvenile crime and substance abuse.

Motion -- carried

Knight moved that the applications be endorsed and the necessary signatures be authorized. Motion carried 7 to 0.

SECTION 8

APPLICATION FOR SECTION 8 VOUCHERS.

Agenda Report No. 00-0425.

On March 10, 2000 the Department of Housing and Urban Development (HUD) issued a notice of Funding Availability for approximately \$346,560,000 in one-year budget authority for approximately 60,000 vouchers. This is the first time since 1994 that fair share funding has been made available to housing authorities. Under the fair share allocation, the state of Kansas has been allocated 481 vouchers.

The Section 8 wait list currently lists 1,667 families needing rental assistance and has been closed for nearly 2 years except for elderly, non-elderly disabled, and handicapped. While HUD encourages housing authorities to use the vouchers available under this NOFA for disabled and other special needs groups, this NOFA represents the first time in six years that additional vouchers are being made available for non-targeted populations.

The NOFA specifies that any housing authority may apply for no more than 25% of the fair share for the state in which it is located. Therefore, the Wichita Housing Authority may apply for 120 of the 481 allocated to the state of Kansas.

This is a competitive NOFA, so the WHA will be competing on the basis of: 1) need; 2) efforts to provide area-wide housing opportunities; 3) local initiatives such as cooperative efforts with other housing authorities and the locality's ability to provide services or other contributions in support of the Section 8 Program; 4) the HA's commitment to use part of the vouchers for disabled families; 5) the HA's commitment to use part of the vouchers for disabled families who are also receiving Medicaid Home and Community Based Services; and 6) the HA's commitment to

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use at least 20% of the funds to absorb portable vouchers currently billed to another HA. The net increase in vouchers to the WHA after absorbing portable vouchers would be approximately 95.

The additional vouchers will produce approximately \$424,000 in HAP payments annually. The Housing Authority will also earn Administrative Fees of approximately \$44,700.

Motion --
-- carried

Knight moved that submission of application and acceptance of grant be approved; and the necessary signatures be carried authorized. Motion carried 7 to 0.

BUDGET TRANSFER

TRANSFER OF NUISANCE ABATEMENT FUNDS – HEALTH DEPARTMENT.

Agenda Report No. 00-0426.

The transfer requested moves \$30,000 from the Environmental Maintenance Contingency to the Environmental Maintenance Lot Cleanup account. The Environmental Maintenance Contingency was created to fund lot cleanup and weed mowing activities to abate environmental nuisances. Local ordinance and state law allow the City to clean up private property after proper notification of the responsible party. This process is typically used when property has been abandoned or in the case of absentee owners who cannot be located for trial in municipal court. A private contractor performs the work, and the City bills the cost to the property owner directly or as a special property tax assessment.

Invoices received to date total \$22,080 for thirty-six work orders. Eighteen additional work orders awaiting issuance to the contractor will consume the current fund balance of \$10, 440. Staff anticipates that the requested transfer of \$30,000 will fund cleanup activities through mid-July of this year.

Available funds in the contingency total \$78,502 at present. The Finance Department has reviewed and approved the requested transfer.

Motion --
-- carried

Knight moved that the budget adjustment, transferring \$30,000 from Environmental Maintenance Contingency (OCA 149070) to Environmental Maintenance Lot Cleanup (OCA 149062) be approved. Motion carried 7 to 0.

EQUIPMENT

PURCHASE OF GLASS BLOWING EQUIPMENT – PARK DEPARTMENT.

Agenda Report No. 00-0427.

There has been much interest by students, faculty, and the general public to develop classes in glass blowing at City arts. During the 1999-2000 budget process, a program option for a hot glass studio at the City Arts location was approved. With the purchase of the necessary glass blowing equipment, City Arts will become the only hot glass shop in South-Central Kansas open to the public for glass blowing instruction. City Arts anticipates an enrollment of approximately 25 students per session. A request for proposal was sent to four (4) vendors.

The proposal submitted by Karg Art Glass included the equipment required to provide glass blowing classes. The selection committee reviewed the proposal on the basis of cost, experience, and the equipment proposed for the studio. The submitted cost of \$32,000 is within the budget amount.

Funds are available in the 2000 Budget for the purchase of this equipment.

Motion -- carried

Knight moved that the purchase be approved and the necessary signatures be authorized. Motion carried 7 to 0.

SANITARY SEWER

PUBLIC EXIGENCY PROJECT – SANITARY SEWER REPAIRS. (District II)

Agenda Report No. 00-0428.

Sewer Maintenance was recently televising the sanitary sewer in the easement between Terrace and Pershing, south of Kellogg. They discovered a defect in the line where a poorly installed service connection has caused the pipe to break away and a large underground cavity has formed. The sanitary sewer line must be repaired quickly, and two service connections must be replaced.

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The City Manager approved proceeding with the project on April 7, 2000. Staff contacted six contractors and Nowak Construction submitted the lowest bid at \$9,499.

Capital Improvement Program, Reconstruction of Sanitary Sewers (CIP #S-4) has a budget of \$3,000,000 for 2000. This repair will be funded from Sewer Utility Revenues and Reserves and/or a future revenue bond issue.

City Code Section 2.64.020, "Public Exigency," allows the City Manager to authorize work to be performed by a contractor without formal bidding.

Motion --carried

Knight moved that approval of the project be affirmed and the necessary signatures be authorized. Motion carried 7 to 0.

PROPERTY ACQ.

ASSIGNMENT OF CONTRACT FOR CONSULTANT SERVICES FOR ACQUISITION AND RELOCATION FOR US-54 (KELLOGG) RECONSTRUCTION PROJECTS. (Districts II and V)

Agenda Report No. 00-0429.

On May 11, 1999, the City entered into a contract with Bucher, Willis, Ratliff/Land Acquisitions Inc. for acquisition and relocation assistance for the Tyler Road/Maize Road Interchange project and the Woodlawn Avenue Interchange project along Kellogg (US-54). Acquisition and relocation is currently underway on the west project. On February 29, 2000, the employees of Bucher, Willis, Ratliff/Land Acquisitions, Inc. negotiated a purchase of the assets and contracts of the company. The new company, Land Acquisitions, Inc. has requested an assignment of the contract with the City of Wichita as part of the purchase.

Per Article V. B. of the existing contract, any assignment must be approved the City. The assignment does not impact the financial or operational aspects of the contract. All staff of Bucher, Willis, Ratliff/Land Acquisitions, Inc. proposed for the City contract have transferred to the new entity. Staffing and timing remain the same as proposed in the original contract as do all fees and reimbursements.

The dollar amount and terms of the contract are unchanged.

Motion -- carried

Knight moved that the assignment of contract and necessary signatures be authorized. Motion carried 7 to 0.

PROPERTY DISP.

SALE OF 1028 NORTH PIATT. (District I)

Agenda Report No. 00-0430.

1028 N. Piatt is a city-owned unit in the Infill Program. The Infill Program was implemented to preserve existing housing stock while improving and stabilizing older neighborhoods. The home at 1028 N. Piatt was moved and rehabilitated as one of the houses from the Third Street Drainage Project and is being sold with assistance from the HOMEownership 80 Program.

The HOMEownership 80 Program is designed to allow first-time low to moderate income families purchase homes with city assistance for down payment and closing costs, security system and minor repair. The Program is targeted to families who might otherwise be unable to purchase a home due to down payment requirements and closing costs.

The Piatt house is 812 square feet in size with two bedrooms, one bathroom, a living room, kitchen and full, unfinished basement. This home was purchased by the City of Wichita to implement the Third Street Drainage Project.

The property is selling for the price of \$26,500. The buyer will receive two loans. The first loan is a conventional home mortgage for \$21,200 and the second mortgage is a zero interest, deferred payment loan from HOMEownership 80 for \$6,625.00. The buyer will expend approximately \$600.00 of their own funds at closing.

The property is being appraised by a certified appraiser in connection with the loan application process at American Home Loans. Seller's estimated closing costs include approximately \$200.00 for title insurance and closing fees.

1028 N. Piatt is legally described as Lots 24-26, McIntyre & Steel's subdivision, Sedgwick County, Kansas. The purchase contract has been approved as to form by the City Law Department.

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Motion --
-- carried

Knight moved that the sale and documents be approved and the necessary signatures be authorized. Motion carried 7 to 0.

WEAPONS DESTRUCT WEAPONS DESTRUCTION.

Agenda Report No. 00-0446.

The Police Department has requested authorization to destroy several weapons which have been confiscated in criminal activity but are no longer needed as evidence.

City Code provides that weapons seized in connection with criminal activity shall be destroyed or forfeited to the Wichita Police Department. All transactions involving weapon disposal must have prior approval of the City Manager. The list of weapons being destroyed includes a total of 215 long guns and 638 handguns. The destruction of the weapons will be witnessed and monitored by Staff.

Upon review by the City Council, the necessary court documents will be prepared to proceed with destruction of the listed weapons.

Motion -- carried

Knight moved that the list of weapons be received and filed. Motion carried 7 to 0.

ORDINANCES

SECOND READING ORDINANCES: (FIRST READ APRIL 18, 2000)

a) Z-3328 -west side of West Street, north of Douglas. (District IV)

ORDINANCE NO. 44-641

An Ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by Section 28.04.210, the Code of the City of Wichita, Kansas, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight. Z-3328

b) ZON2000-00003, CUP2000-00002, and DP-38 -south of Kellogg and west of the Kansas Turnpike Entrance – 8900 Block of East Orme. (District II)

ORDINANCE NO.44-642

An Ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by Section 28.04.210, the Code of the City of Wichita, Kansas, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight. Z-2000-00003

c) A 00-06 – one-fourth mile north of Central Avenue, West of K-96 Highway, to the City of Wichita, Kansas. (District II)

ORDINANCE NO.44-643

An Ordinance including and incorporating certain blocks, parcels, pieces, and tracts of land within the limits and boundaries of the City of Wichita, Kansas, and relating thereto, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight. A 00-06

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FIRST READING ORDINANCES:

Motion -- carried

Knight moved that the ordinances be placed on first reading. Motion carried 7 to 0.

a) Building Condemnations.

ORDINANCE

An Ordinance making a special assessment to pay for the removal of certain structures, being dangerous and unsafe buildings which have been declared a nuisance under the provision of Sections 18.16.010 to 18.16.090 of the Code of the City of Wichita, Kansas, introduced and under the rules laid over.

b) Sewer Service Assessments.

ORDINANCE

An Ordinance making a special assessment to pay the cost of unpaid sewer service charges and/or water service charges in the City of Wichita, Kansas. Be it ordained by the governing body of the City of Wichita, Kansas, introduced and under the rules laid over.

PLANNING AGENDA

Marvin Krout

Director of Planning stated that all Items except 37, 47 and 50 could be considered as consensus Items unless the Council desired to withhold other items.

Motion --
-- carried

Knight moved that all Planning Agenda Items except 37, 47 and 50 be approved as consensus Items. Motion carried 7 to 0.

(Agenda Item No. 37)
V-2074

V-2074 – PUBLIC HEARING – REQUEST TO VACATE A PORTION OF ACCESS CONTROL LOCATED NORTH OF 37TH STREET NORTH, ON THE EAST SIDE OF WOODLAWN. (District II)

Marvin Krout

Director of Planning reviewed the Item.

Agenda Report No. 00-0431.

Staff Recommendation: Approve vacation of a portion of access control.

MAPC Recommendation: Approve vacation of a portion of access control. (unanimous)

The applicant is requesting to alter the access control along Woodlawn Boulevard for Lots 2, R & L Carpenter 3rd Addition, by adding a third access point (one full opening, one ingress and one egress). In Exchange, the one opening permitted to Woodlawn on the lot to the south (Lot "B", Block 1, Chisholm Creek Addition) will be closed. The proposed development on Lot 2 of R & L Carpenter 3rd Addition (a Sonic Drive-In) wishes to have two openings (one ingress and one egress) for that development. One of the openings serving the Coastal convenience store to the south is actually located on property in question. This was allowed by a previous owner of Lot 2, R & L Carpenter 3rd Addition. Since the plat for R & L Carpenter 3rd Addition restricted Lot 2 to the one opening (one ingress and one egress), and the development proposed calls for these openings and one additional opening, this adjustment is needed. The owners involved are taking steps to adjust property boundaries to resolve this problem. The vacation of part of the access control is also needed to accomplish this. The vacation will not increase the number of openings permitted from these lots to Woodlawn Boulevard.

No one spoke in opposition to this request at the MAPC's advertised public hearing, and the MAPC voted to approve the vacation, adopting the findings of fact that are incorporated in the Vacation Order, subject to the applicant shall guarantee the closure of the driveway on Lot B, Chisholm Creek Addition and shall dedicate complete access control for Lot B, Block 1, Chisholm Creek and the applicant shall be responsible for any relocation or reconstruction of utilities made necessary by this vacation. No written protests have been filed.

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Motion --
-- carried

Pisciotta moved that the Vacation Order be approved and the necessary signatures be authorized. Motion carried 7 to 0.

VAC2000-00002

VAC2000-00002 – REQUEST TO VACATE A UTILITY EASEMENT ON LOTS 1 AND 2, RALLS THIRD ADDITION LOCATED NORTH OF HARRY AND EAST OF TERRACE DRIVE. (District III)

Agenda Report No. 00-0432.

Staff Recommendation: Approve Vacation.
MAPC Recommendation: Approve Vacation.

The applicant is requesting to vacate two 8-foot utility easements for the future development of Lots 1 and 2, Ralls Third Addition.

No one spoke in opposition to this request at the MAPC's advertised public hearing. Both the city engineers and the utility companies reviewed this request and noted no utilities in the easements, nor were the easements needed for the future. MAPC voted to approve the vacation, adopting the findings of fact that are incorporated in the Vacation Order. No written protests have been filed.

A certified copy of the Vacation Order will be recorded with the Register of Deeds.

Motion --
-- carried

Knight moved that the Vacation Order be approved and the necessary signatures be authorized. Motion carried 7 to 0.

VAC2000-00003

VAC2000-00003 – REQUEST TO VACATE A 20-FOOT UTILITY EASEMENT LOCATED EAST OF DOUGHERTY, NORTH OF CENTRAL. (District VI)

Agenda Report No. 00-0433.

Staff Recommendation: Approve Vacation.
MAPC Recommendation: Approve Vacation.

The applicant is requesting to vacate a dead-end easement and convert the existing public sewer line to a private line.

No one spoke in opposition to this request at the MAPC's advertised public hearing. Both the city engineers and the utility companies reviewed this request and noted no utilities in the easements, nor were the easements needed for the future. MAPC voted to approve the vacation, adopting the findings of fact that are incorporated in the Vacation Order. No written protests have been filed.

Motion --
-- carried

Knight moved that the Vacation Order be approved and the necessary signatures be authorized. Motion carried 7 to 0.

VAC2000-00004

VAC2000-00004 – REQUEST TO VACATE STREET RIGHT-OF-WAY LOCATED WEST OF OLIVER (DELLROSE AVENUE) ON THE SOUTH SIDE OF DOUGLAS. (District II)

Agenda Report No. 00-0434.

Staff Recommendation: Approve Vacation.
MAPC Recommendation: Approve Vacation.

The applicant is requesting to vacate street right-of-way along Douglas Avenue to allow for required parking in the vacated area. The area has been paved and used for parking since 1972 through a minor street privilege. The property is currently undergoing a change of ownership and the new owner wishes to "clean up" the title and continue to use the area for parking. The applicant will dedicate contingent street right-of-way for the area vacated.

No one spoke in opposition to this request at the MAPC's advertised public hearing. Traffic Engineering and Public Works review the case and approved of the request. The MAPC voted to approve the vacation, adopting the

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findings of fact that are incorporated in the Vacation Order, subject to the applicant shall dedicate contingent street right-of-way for the vacated right-of-way. No written protests have been filed.

Motion --
-- carried

Knight moved that the Vacation Order be approved and the necessary signatures be authorized. Motion carried 7 to 0.

DED 2000-05

DED 2000-05 – DEDICATION OF A UTILITY EASEMENT LOCATED ON THE SOUTH OF LINCOLN AND WEST OF OLIVER. (District VI)

Agenda Report No. 00-0035.

MAPC Recommendation: Accept the Dedication.

This Dedication is a requirement of associated Lot Split No. L/S 1031 and is being dedicated for the purpose of construction and maintenance of public utilities.

The Dedication has been reviewed and approved by the Planning Commission.

Motion -- carried

Knight moved that the Dedication be accepted. Motion carried 7 to 0.

DED 2000-06

DED 2000-06 – DEDICATION OF A UTILITY EASEMENT LOCATED SOUTH OF 61ST STREET NORTH, WEST OF SENECA. (District VI)

Agenda Report No. 00-0436.

MAPC Recommendation: Accept the Dedication.

This Dedication is a requirement of associated Lot Split No. L/S 1031 and is being dedicated for the purpose of construction and maintenance of public utilities.

The Dedication has been reviewed and approved by the Planning Commission.

Motion -- carried

Knight moved that the Dedication be accepted. Motion carried 7 to 0.

DED 2007-07

DED 2007-07 – DEDICATION OF STREET RIGHT-OF-WAY FOR PROPERTY LOCATED SOUTH OF 61ST STREET NORTH, WEST OF SENECA. (District VI)

Agenda Report No. 00-0437.

MAPC Recommendation: Accept the Dedication.

This Dedication is a requirement of an associated Lot Split No. L/S 1036 and is being dedicated for additional street right-of-way along Sullivan Avenue.

The Dedication has been reviewed and approved by the Planning Commission.

Motion -- carried

Knight moved that the Dedication be accepted. Motion carried 7 to 0.

S/D 98-17

S/D 98-17 – PLAT OF WEST RIDGE ESTATES LOCATED ON THE EAST SIDE OF 119TH STREET WEST, SOUTH OF 29TH STREET NORTH. (District V)

Agenda Report No. 00-0438.

Staff Recommendation: Approve the Plat.

MAPC Recommendation: Approve the Plat.

This site was recently annexed into the City.

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Petitions, 100%, have been submitted for City water, sewer, traffic, paving and drainage improvements. A Certificate of Petitions has also been submitted. To provide for off-street parking for lots adjacent to narrow streets, a covenant has also been submitted requiring that four (4) off-street spaces be provided for such lot. A restrictive covenant has been provided in order to provide for the ownership and maintenance of the reserves.

This plat has been reviewed and approved by the Planning Commission, subject to conditions and recording within thirty (30) days.

Motion --
-- carried

Knight moved that the documents and Plat be approved; the Resolutions be adopted; and the necessary signatures be authorized. Motion carried 7 to 0.

RESOLUTION NO. R-00-188

A Resolution of findings of advisability and Resolution authorizing construction of Water Distribution System Number 448-89470 (south of 29th Street North, east of 119th Street West), in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

RESOLUTION NO. R-00-189

A Resolution of findings of advisability and Resolution authorizing construction of Water Distribution System Number 448-89471 (south of 29th Street North, east of 119th Street West) in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

RESOLUTION NO. R-00-190

A Resolution of findings of advisability and Resolution authorizing construction of Water Distribution System Number 448-89472, (south of 29th Street North, east of 119th Street West) in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

RESOLUTION NO. R-00-191

A Resolution of findings of advisability and Resolution authorizing construction of Lateral 451, Southwest Interceptor Sewer (south of 29th Street North, east of 119th Street West), Project No. 468-83102, in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

RESOLUTION NO. R-00-192

A Resolution of findings of advisability and Resolution authorizing construction of Lateral 452, Southwest Interceptor Sewer (south of 29th Street North, east of 119th Street West), Project No. 468-83103, in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

RESOLUTION NO. R-00-193

A Resolution of findings of advisability and Resolution authorizing construction of Storm Water Drain No. 153 (south of 29th Street North, east of 119th Street West), Project No. 468-83104, in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

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RESOLUTION NO. R-00-194

A Resolution of findings of advisability and Resolution authorizing improving of Central Park from the east line of 119th Street West, East, South and East to the east line of the Plat; Parkridge, from the north line of Central Park, north to the north line of Lot 28, Block C; Central Park Courts (Lots 39-53, Block C) from the north line of Central Park, North and East to and including the cul-de-sac, (Lots 1-12, Block D) from the south line of Central Park, south to and including the cul-de-sac, (Lots 13-18, Block D) from the south line of Central Park South to and including the cul-de-sac (Lots 3-11, Block E) from the south line of Central Park, south to and including the cul-de-sac; Partridge Court from the east line of Parkridge, east to and including the cul-de-sac, and: sidewalk on one side of Central Park and Parkridge, Project No. 472-83234 (south of 29th Street North, east of 119th Street West), in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

RESOLUTION NO. R-00-195

A Resolution of findings of advisability and Resolution authorizing improving of Parkridge from the north line of Lot 28, Block C, north to the south line of Ryan; Ryan from the east line of 119th Street West, east to the west line of Ryan Place; Ryan Place from the north line of Ryan, north, east, south, and west back to the east line of Ryan; Ryan Courts (Lots 1-9, Block A) from the north line of Ryan, north to and including the cul-de-sac, (Lots 1-16, Block C) from the south line of Ryan, south and east to and including the cul-de-sac; Parkridge Court (Lots 32-40, Block A) from the east line of Parkridge, east to and including the cul-de-sac; and sidewalk on one side of Ryan and Parkridge, Project No. 472-83235 (south of 29th Street North, east of 119th Street West), in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

RESOLUTION NO. R-00-196

A Resolution of findings of advisability and Resolution authorizing construction of a left turn bay on 119th Street West to serve Central Park and Ryan in the West Ridge Estates, Project No. 472-83236 (south of 29th Street North, east of 119th Street West), in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

S/D 98-102

S/D 98-102 – PLAT OF WOODLAND GLEN ADDITION LOCATED NORTH OF 31ST STREET NORTH, ON THE EAST SIDE OF WOODLAND AVENUE. (District VI)

Agenda Report No. 00-0439.

Staff Recommendation: Approve the Plat.
MAPC Recommendation: Approve the Plat.

This property is zoned SF-6, Single-Family Residential and municipal services are available to serve the site.

This plat has been reviewed and approved by the Planning Commission, subject to conditions and recording within thirty (30) days.

Motion -- carried

Knight moved that the Plat be approved and the necessary signatures be authorized. Motion carried 7 to 0.

S/D 99-35

S/D 99-35 – PLAT OF DUNCAN CORNER ADDITION LOCATED ON THE SOUTHEAST CORNER OF 53RD STREET NORTH AND RIDGE ROAD.

Agenda Report No. 00-0440.

Staff Recommendation: Approve the Plat.
MAPC Recommendation: Approve the Plat.

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This plat is located in the County within three miles of the City's boundary. A zone change (SCZ-0781) from SF-20, Single-Family Residential to LC, Limited Commercial was approved for this site subject to platting. The site has been approved by the Health Department for the use of on-site sanitary sewer and water facilities.

This plat has been reviewed and approved by the Planning Commission, subject to conditions and recording within thirty (30) days.

Motion -- carried

Knight moved that the Plat be approved and the necessary signatures be authorized. Motion carried 7 to 0.

(Agenda Item No. 47)

S/D 00-04

S/D 00-04 – PLAT OF MIDWEST HOUSING ADDITION LOCATED ON THE EAST SIDE OF BROADWAY, SOUTH OF MACARTHUR. (District IV)

Marvin Krout

Director of Planning reviewed the Item.

Agenda Report No. 00-0441.

Staff Recommendation: Approve the Plat, subject to contingent right-of-way dedication.

MAPC Recommendation: Approve the Plat, subject to contingent right-of-way dedication, limited to 20 years.

A zone change (Z-3333) from LC, Limited Commercial and SF-6, Single-Family Residential to GC, General Commercial was approved for this site subject to platting. The site is also subject to a Community Unit Plan (DP-246).

A restrictive covenant was submitted prohibiting development on the east lot until such time as public sewer and water services are provided and access is available. A cash guarantee has been provided to assure the closure of a driveway along Broadway located in an area platted with complete access control. A CUP Certificate has been provided identifying the approved CUP and its special conditions for development.

The negative Planning Commission votes reflects the Commissioners' discussion about right-of-way for Emporia Street. The MAPC had originally recommended the platting of a "reserve" rather than dedication of contingent street right-of-way. In approving the plat, they changed this recommendation, but left the 20 year time period as a limitation.

This plat has been reviewed and approved by the Planning Commission, subject to conditions and recording within thirty (30) days. Publication of the Ordinance should be withheld until such time as the Plat is recorded with the Register of Deeds.

Motion --

Gale moved that the documents and Plat be approved, subject to recommendations and contingent right-of-way dedication, and the necessary signatures be authorized; and the Z-3333 Ordinance be placed on first reading.

-- carried

Motion carried 7 to 0.

ORDINANCE

An Ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by Section 28.04.210, the Code of the City of Wichita, Kansas, introduced and under the rules laid over. Z--3333

Z-3361

Z-3361 – ZONE CHANGE FROM “MF’18” MULTI-FAMILY RESIDENTIAL TO “GC” GENERAL COMMERCIAL ON NEW PARCEL; AND DP-59 AMENDMENT #6 – AMENDMENT TO CREATE A NEW PARCEL (FARMING SQUARE CUP), LOCATED ON THE NORTH OF SHADE LANE AND EAST OF RIDGE ROAD. (District V)

Agenda Report No. 00-0442.

Staff Recommendation: Approve, subject to conditions.

MAPC Recommendation: Approve, subject to conditions.

The applicant is requesting an amendment to the Farmington Square CUP to create a new parcel, Parcel 10, from the western 7.04 acres of Parcel 1 of the existing CUP. The new Parcel 10 is proposed for a zone change from

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“MF-18” Multi-Family Residential to “GC” General Commercial to permit self-service storage warehouse uses on the west 260 feet of the parcel and the uses permitted on Parcel 1 for the entire new parcel. The applicant indicated that “GC” General Commercial zoning was requested for the entire new parcel to permit expansion of the self-service storage warehouse use in the future through another CUP amendment.

Self-service storage warehouse is permitted with a Conditional Use (or CUP amendment) in the “GO” General Office and “LC” Limited Commercial districts, but only if the site has direct access to an arterial street. The “GC” General Commercial district is the first district which permits self-service storage warehouse for sites such as the subject property that do not have direct access to an arterial street.

The applicant submitted a site plan for the proposed self-service storage warehouse development. The site plan shows a self-service storage warehouse facility consisting of 12 storage buildings and an office/residence building. The site plan also shows a “surface parking” area, which is presumably intended for long-term outdoor storage of vehicles and equipment. Access to the site is shown from Shade, an extra-wide local street that intersects with Ridge approximately 360 feet west of the entrance to the facility. The facility is shown to entirely enclosed (except for a 25 foot gap north of the office on the west property line) by a combination of the exterior walls for the storage buildings, a concrete fence filling the gaps between the building walls, and a wrought iron fence and gate along the south line of the enclosed area. The site plan shows a landscaped buffer along the frontage of Shade. The site plan does not indicate how any future expansion of the self-service storage warehouse facility would be sited on the new parcel.

The applicant also submitted building elevations for the proposed self-service storage warehouse development. The building elevations indicate that all building exteriors will share the same predominate earth-tone color, texture, and exterior building material. The exterior building materials are apparently brick, wood, and metal for the office/residence building and metal for the storage buildings. The building elevations do not include a rear elevation of the storage buildings or any information regarding common exterior building materials proposed to be used on the storage building walls and the masonry wall, which will serve in combination as the perimeter fencing for the development. The building elevations also do not indicate the proposed height of the buildings.

The surrounding area is predominately developed with multi-family residential uses with single family residential and commercial uses also in the area. The most directly impacted properties by the proposed development are several apartment complexes on property zoned “TF-3” Two-Family Residential located to the south and single family residences owned by the City of Wichita and operated as public housing on property zoned “SF-6” Single Family Residential located to the north. West of the subject property is vacant property that is currently zoned “MF-18” Multi-Family Residential with a zoning change to “LC” Limited Commercial that is pending the completion of the conditions of approval (primarily the vacation of access control). East of the subject property is vacant property zoned “MF-18” Multi-Family Residential. The adjoining property to the south, east, and west of the subject property is also within the Farmington Square CUP.

To limit the impact of the proposal on surrounding properties, planning staff recommends that the site be developed in accordance with the development standards in the Unified Zoning Code for self-service storage warehouses in the “GO” and “LC” districts. Planning staff also recommends that approval be subject to review and approval of a revised site plan and building elevations. To preserve options for review of future development at this site, planning staff recommends that the zone change to “GC” General Commercial be limited to the site of the proposed self-service storage warehouse (approximately the west 260 feet of the new parcel). The property is currently platted, and replatting is not recommended by planning staff.

At the public hearing on April 13, 2000, the MAPC heard from a resident of an adjoining property who protested the request, citing potential problems with traffic safety as a result of the development. The MAPC recommended approval (11-0-1) of the CUP amendment and zone change subject to the following conditions:

1. The applicant shall submit a legal description for the property to be changed to the “GC” General Commercial zoning district that includes approximately the west 260 feet of Parcel 10.
2. Self-service storage warehouse uses on Parcel 10 shall be developed in accordance with Section III-D.6.y of the Unified Zoning Code, with the exception of Section III-D.6.y(1) and Section III-D.6.y(2).
3. General Provision #18 shall be amended to add Parcel 10 to the list of parcels which are required to comply with the Landscape Ordinance. Additionally, a minimum 15 foot landscape buffer shall be provided along the south, east, and north perimeter of the self-service storage warehouse facility.
4. Prior to issuance of a building permit on Parcel 10, a revised site plan shall be submitted for review and approval by the Director of Planning. The revised site plan shall indicate type and location of perimeter enclosure materials, which shall entirely enclose the self-service storage warehouse facility. The site plan also shall indicate the size

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- and location of the landscape buffer areas. The site plan shall also locate the vehicle storage yard in the approximate center of the site. The site shall be developed in general conformance with the approved site plan.
5. Prior to issuance of a building permit on Parcel 10, revised building elevations shall be submitted for review and approval by the Director of Planning. The revised building elevations shall indicate the wall and roof materials and colors and the building and wall heights. Additionally, the exterior walls of the storage buildings used to enclose the perimeter of the facility shall be of a stamped-brick pattern or similar architectural treatment and shall be of the same texture, color, and appearance as the masonry wall that encloses the gaps between the storage buildings.
 6. The proposed uses for Parcel 10 shall be amended to permit a vehicle storage yard on the west 260 feet of the parcel.
 7. Outdoor speakers and sound amplification systems shall not be permitted on Parcel 10.
 8. General Provision #1 shall be amended to add Parcel 10 to the excepted parcels.
 9. The development of this property shall proceed in accordance with the development plan as recommended for approval by the Planning Commission and approved by the Governing Body, and any substantial deviation of the plan, as determined by the Zoning Administrator and the Director of Planning, shall constitute a violation of the building permit authorizing construction of the proposed development.
 10. Any major changes in this development plan shall be submitted to the Planning Commission and to the Governing Body for their consideration.
 11. Prior to publishing the resolution or ordinance establishing the zone change, the applicant(s) shall record a document with the Register of Deeds indicating that this tract (referenced as DP-59) includes special conditions for development on this property.
 12. The applicant shall submit 4 revised copies of the C.U.P. to the Metropolitan Area Planning Department within 30 days after approval of this amendment by the Governing Body, or the request shall be considered denied and closed.

Motion --

Knight moved that the Council concur with the findings of the MAPC and approve the zone change and CUP amendment, subject to the recommended conditions; the ordinance establishing the zone change be placed on first reading. Motion carried 7 to 0.

-- carried

ORDINANCE

An Ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by Section 28.04.210, the Code of the City of Wichita, Kansas, introduced and under the rules laid over. Z-3361

ZON 2000-00001

ZON 2000-00001 – ZONE CHANGE FROM “LC” LIMITED COMMERCIAL TO “B” MULTI-FAMILY DISTRICT, LOCATED APPROXIMATELY 100 FEET NORTH OF 12TH STREET AND EAST OF HILLSIDE (1213 NORTH HILLSIDE). (District I)

Agenda Report No. 00-0443.

Staff Recommendation: Approve.

MAPC Recommendation: Approve.

The applicant indicates that he wishes to “down zone” property currently zoned “LC” Limited Commercial to the “B” Multiple-Family District. The site contains a small, wood framed, residential building. The property is ¼ acre in size and is platted. The applicant intends to sell the property to the two tenants who have lived in the single-family dwelling for a number of years. A residential category is needed so the applicants can apply for a mortgage loan application. The adjoining properties are zoned “B” Multi-Family or “LC” Limited Commercial. The application area is a rectangular shaped parcel and is located approximately 100 feet north of 12th and east of Hillside (1312 N. Hillside).

The property north of the application area is vacant and zoned “B” Multi-Family District and “LC” Limited Commercial, the property south is used for residential purposes and is zoned “B” Multi-Family District and “LC” Limited Commercial, east is “LC” Limited Commercial that is used residentially and the property to the west, with a commercial use, is also “LC.” The “B” Multi-Family areas have a mixture of single and multiple family residential uses. Access to the site is currently from Hillside.

At the MAPC meeting held on March 30, 2000, the MAPC voted (9-0) to recommend approval. The agent stated that the applicant was requesting the rezoning so that the tenants might secure a mortgage loan to purchase the property.

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Motion --

Knight moved that the Council concur with the findings of the MAPC and approve the zone change to "B" Multiple-Family District and the ordinance establishing the zone change be placed on first reading. Motion carried 7 to 0.

-- carried

ORDINANCE

An Ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by Section 28.04.210, the Code of the City of Wichita, Kansas, introduced and under the rules laid over. ZON 2000-00001

(Agenda Item No. 50)

A 99-37

A 99-37 – ADOPTION OF A RESOLUTION ESTABLISHING A FUTURE PUBLIC HEARING ON THE ANNEXATION OF ELIGIBLE PROPERTIES GENERALLY LOCATED NORTH AND SOUTH OF 21ST STREET NORTH AND EAST AND WEST OF HOOVER, TO THE CITY OF WICHITA. (District V)

Marvin Krout

Director of Planning reviewed the Item.

Agenda Report No. 00-0444.

The properties proposed for annexation are located north and south of 21st Street North and east and west of Hoover. A resolution is proposed to establish a future public hearing date of July 11, 2000, for consideration of a unilateral annexation.

The Service Extension Plan shows how these proposed properties could be the first phase of a possible six phase annexation process. In its entirety, this annexation area contains approximately 858 acres with a total of 172 properties. The subject area for this first phase consists of approximately 611 acres and 47 properties (1 platted and 46 unplatted). The land-use pattern consists of 35 residential tracts, six (6) commercial tracts, four (4) farm-related tracts and two (2) vacant tracts. A small portion of Maize Road, north of 21st Street North, and that portion of Ridge Road, from 21st Street North to a ½ mile south of 29th Street North, are also included. The land use pattern of the area proposed for annexation is a mix of residential uses, agricultural uses, with some commercial and industrial uses concentrated along the Hoover Road. The majority of the subject property is zoned "SF-20" Single-Family Residential, with several areas zoned "LC" Limited Commercial and "LI" Limited Industrial. Those areas zoned "SF-20" will convert to the "SF-6" Single-Family Residential district upon annexation ("SF-10" if requested by property owner and approved by the governing body), while other properties will retain their existing zoning. A 20-acre tract located north of 21st Street and east of Hoover was recently approved for "IP" Industrial Park zoning by the County Commission subject to platting.

The majority of the land proposed for annexation is located within the area identified as "low-density residential", with some "commercial" and "industrial" areas intermixed, according to the 1999 Update to the Wichita-Sedgwick County Comprehensive Plan: Preparing for Change Land Use Guide Map, recently approved by the Metropolitan Area Planning Commission. Also, the proposed annexation area is located within the "2010 Urban Service Area" boundaries found in the proposed Comprehensive Plan amendments. The land use pattern within the annexation area is generally consistent with its land use designation in the updated Plan.

The proposed annexation will allow for the continuation of the City's growth in the northwest part of Wichita. All properties in the proposed annexation area are currently being served by private systems. According to the City Water and Sewer Department, there are City of Wichita water mains located within portions of 29th Street, Hoover Road, and Ridge Road, from which service could be extended. Map #6 also illustrates the size of future water mains to serve this area as development continues in that area.

As for sewer, all of the properties in the proposed annexation area are currently being served by private sanitary sewer systems. Sewer lines are being brought into newer developments surrounding the annexation area from which service could be extended. Much of the area proposed for annexation lies within Sanitary Sewer Basin 4 (bounded generally by the Wichita-Valley Center Flood Control Project, 21st Street North, Maize Road, and 45th Street North). A study was completed in February 2000 to show how sanitary sewer service can be extended to serve Basin 4. Construction of sewer mains has not been scheduled at this time.

To proceed with this annexation, the Council must adopt a resolution establishing a hearing date. Once the hearing date is established, a plan for extension of municipal services to the area will be placed on file in the City Clerk's Office. The Service Extension Plan outlines the City's intention to provide major municipal services to the area.

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The total appraised value of the land and improvements proposed for annexation is \$2,037,970 resulting in an annual City Ad Valorem tax revenue of approximately \$9,615. Major municipal services to be provided to this area upon annexation are street maintenance, ditch cleaning, culvert cleaning, fire protection, police protection, building code enforcement, and health code enforcement. The operating departments currently delivering these services will fund them upon annexation. Major municipal services, such as local street improvements, water and sewer service, may be provided to this area upon request of the property owners. The cost of municipal services requested by the property owners will be distributed among the City at large and the benefiting property owners according to current City policies.

In the absence of an annexation request from a property owner, State law requires the adoption of a resolution by the City Council indicating the City's intent to annex, a description of the property to be annexed, and a notice of the time and place for a public hearing to consider the matter. Copies of the resolution must be sent (via certified mail) to all owners of the properties proposed for annexation within 10 days of adoption. Also, the resolution must be published once in the official City newspaper not less than one week and not more than two weeks prior to the public hearing date. A report stating the plans for the extension of municipal services to the proposed annexation area must also be placed on file for public inspection in the City Clerk's Office.

Motion --
-- carried

Knight moved that the Resolution establishing July 11, 2000, at 7:00 p.m., at the Sedgwick County Extension Office, 7001 West 21st Street, as the time and place for the public hearing, be adopted. Motion carried 7 to 0.

RESOLUTION NO. R-00-187

A Resolution declaring an interest in, and establishing a public hearing date for considering the unilateral annexation of property located north and south of 21st Street North and east and west of Hoover, to the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight. (A-99-37)

AIRPORT AGENDA

AIRPORT ADVISORY

BYLAWS – WICHITA AIRPORT ADVISORY BOARD.

Agenda Report No. 00-0445.

Effective November 1, 1999, the City Council became the governing body of the Wichita Airport Authority and the members of the City Council began serving as the members of the Wichita Airport Authority. Charter Ordinance No. 178 authorized the City of Wichita to establish an advisory board. The makeup of the advisory board is 13 members. Seven of the members are appointed by the City Council, and the Board of County Commissioners appoints five members. The chairman of the Regional Economic Area Partnership also serves on the advisory board as ex officio with full power to vote and participate.

The bylaws reflect the purpose and organization of the Advisory Board, as well as its meeting schedule, composition, powers and duties.

Staff support is provided to the Wichita Airport Advisory Board.

The bylaws were approved by the Wichita Airport Advisory Board on March 6, 2000.

Motion -- carried

Knight moved that the Bylaws be approved. Motion carried 7 to 0.

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EXECUTIVE SESSION

Motion --

Knight moved that the City Council recess to executive session to consider consultation with legal counsel on matters privileged in the attorney-client relationship relating to pending litigation, legal advice, contract negotiations, and confidential data relating to financial affairs or trade secrets of a business; and the City Council return from executive session at 11:00 a.m. Motion carried 7 to 0.

-- carried

RECESS

The City Council recessed at 10:35 a.m. and returned at 11:00 a.m.

Mayor Knight

Mayor Knight announced that no action was necessary as a result of the executive session.

(The Council returned to take up Item Number 7; action is shown in Agenda Order.)

ADJOURNMENT

The City Council meeting adjourned at 11:05 a.m.

Pat Burnett CMC
City Clerk